

# **THE GENEVA ACCORDS ON AFGHANISTAN**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON  
ASIAN AND PACIFIC AFFAIRS  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDREDTH CONGRESS  
SECOND SESSION

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MAY 19, 1988

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Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT

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# **THE GENEVA ACCORDS ON AFGHANISTAN**

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**THURSDAY, MAY 19, 1988**

**HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS,  
Washington, DC.**

The subcommittee met at 10:15 a.m., in room 2261, Rayburn House Office Building, Hon. Stephen J. Solarz (chairman of the subcommittee) presiding.

Mr. SOLARZ. The subcommittee will come to order.

On April 14, in an historic undertaking, the Soviet Union and the United States became guarantors of the Geneva Accords on Afghanistan. These diplomatic instruments provide for the rapid and total withdrawal of all Soviet forces from Afghanistan and the safe return of the 5 million Afghan refugees who have been forced to flee their homeland.

The Soviet decision to withdraw from Afghanistan, if it is faithfully and fully implemented, will put an end to one of the most brutal acts of international aggression since the end of the Second World War. Not since the Red Army left Austria in 1955 have Soviet troops been withdrawn from an occupied country that was not part of the Kremlin's sphere of dominance in eastern Europe.

The signing of the Geneva Accords was also a significant diplomatic achievement for the government of Pakistan which conducted the negotiations under the auspices of the United Nations and its special negotiator, Diego Cordovez. Mr. Cordovez, it should be noted, deserves extraordinary credit for a magnificent diplomatic achievement.

Pakistan has demonstrated remarkable statesmanship throughout this lengthy conflict by steadfastly opposing the Soviet occupation of Afghanistan, by providing shelter and assistance to over 3 million Afghan refugees within its borders and by resolutely seeking to achieve a negotiated settlement that would bring about a full withdrawal of all Soviet forces from Afghanistan.

The principal beneficiaries of the Soviet withdrawal must be the Afghan people. For nearly eight and a half years, they have suffered incredible hardships in bravely resisting the Soviet occupation of their country. Over a million Afghans have been killed. Hundreds of thousands more have been permanently maimed. Countless villages have been destroyed. Homes and herds have been wiped out. Booby-trapped toys have robbed innocent children of their childhood, and systematic campaigns have been waged to destroy the role of their religion, culture and ancient traditions in every day life.

In our country the valiant struggle of the Afghan people and the Mujahidin have enjoyed remarkable bipartisan support, first under President Carter, then under President Reagan. With the same bipartisan unity, Congress and the Executive Branch jointly fashioned an American policy that left no doubt where the United States stood in this struggle between freedom and depression.

Later on today, our subcommittee may consider a resolution which I hope will enjoy similar bipartisan support. The resolution expresses the support of the House for the Geneva Accords and states that the responsibilities of the United States and the Soviet Union as guarantors must be symmetrical. The resolution also expresses its support of U.S. participation in the international effort for the reconstruction and reconciliation of Afghanistan in the context of a full Soviet withdrawal and conditions which permit the safe return of the refugees.

Last month's conclusion of the Geneva negotiations has now been followed by the beginnings of the Soviet troop withdrawal. Perhaps the cheering crowds in Kabul recognized that if Moscow fully honors the terms of the Geneva agreements and withdraws all of its forces in 10 months, the scale of the fighting will substantially diminish. This in turn, will help to facilitate the return of the refugees and soon make possible the emergence of a government in Kabul that reflects the will and wishes of the Afghan people. Once that occurs, an international consensus can be developed to undertake the reconstruction and rehabilitation of Afghanistan that is so urgently needed.

Today's hearing will give the Subcommittee on Asian and Pacific Affairs an opportunity to hear the Administration's views on the significance of the Geneva Accords, the U.S. role as a guarantor of the agreement and recent developments in Afghanistan. Our witness will be Mr. Robert Peck, the Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs. Mr. Vincent Cannistraro, an assistant to the Assistant Secretary of Defense for International Security Affairs, will also be available to answer any questions members might have on technical or logistical issues.

Before calling on Mr. Peck, I yield to our very distinguished ranking minority member, Mr. Leach, for such observations as he may have.

[Prepared statement of Mr. Solarz follows:]

## OPENING STATEMENT

CONGRESSMAN STEPHEN J. SOLARZ

MAY 19, 1988

ON APRIL 14, IN AN HISTORIC UNDERTAKING, THE SOVIET UNION AND THE UNITED STATES BECAME GUARANTORS OF THE GENEVA ACCORDS ON AFGHANISTAN. THESE DIPLOMATIC INSTRUMENTS PROVIDED FOR THE RAPID AND TOTAL WITHDRAWAL OF ALL SOVIET FORCES FROM AFGHANISTAN AND THE SAFE RETURN OF THE FIVE MILLION AFGHAN REFUGEES WHO HAD BEEN FORCED TO FLEE THEIR HOMELAND.

THE SOVIET DECISION TO WITHDRAW FROM AFGHANISTAN PUTS AN END TO ONE OF THE MOST BRUTAL ACTS OF INTERNATIONAL AGGRESSION SINCE WORLD WAR II. NOT SINCE THE RED ARMY LEFT AUSTRIA IN 1955, HAVE SOVIET TROOPS BEEN WITHDRAWN FROM AN OCCUPIED COUNTRY THAT WAS NOT PART OF THE KREMLIN'S SPHERE OF DOMINANCE IN EASTERN EUROPE.

THE SIGNING OF THE GENEVA ACCORDS WAS A SIGNIFICANT DIPLOMATIC ACHIEVEMENT FOR THE GOVERNMENT OF PAKISTAN WHICH CONDUCTED THE NEGOTIATIONS UNDER THE AUSPICES OF THE UNITED NATIONS AND ITS SPECIAL NEGOTIATOR, DIEGO CORDOVEZ. PAKISTAN HAS DEMONSTRATED REMARKABLE STATESMANSHIP THROUGHOUT THIS LENGTHY CONFLICT BY STEADFASTLY OPPOSING THE SOVIET OCCUPATION OF AFGHANISTAN, BY PROVIDING SHELTER AND ASSISTANCE TO OVER THREE MILLION AFGHAN REFUGEES WITHIN ITS BORDERS, AND BY RESOLUTELY SEEKING TO ACHIEVE A NEGOTIATED SETTLEMENT THAT WOULD BRING ABOUT A FULL WITHDRAWAL OF ALL SOVIET FORCES FROM AFGHANISTAN.

THE PRINCIPAL BENEFICIARIES OF THE SOVIET WITHDRAWAL MUST BE THE AFGHAN PEOPLE. FOR NEARLY EIGHT AND A HALF YEARS THEY HAVE SUFFERED INCREDIBLE HARDSHIPS IN BRAVELY RESISTING THE SOVIET OCCUPATION. OVER A MILLION AFGHANS HAVE BEEN KILLED; HUNDREDS OF THOUSANDS MORE HAVE BEEN PERMANENTLY MAIMED; COUNTLESS VILLAGES HAVE BEEN DESTROYED; HOMES AND HERDS HAVE BEEN WIPED OUT; BOOBY-TRAPPED TOYS HAVE ROBBED INNOCENT CHILDREN OF THEIR CHILDHOOD; AND SYSTEMATIC CAMPAIGNS HAVE BEEN WAGED TO DESTROY THE ROLE OF THEIR RELIGION, CULTURE AND ANCIENT TRADITIONS IN EVERY DAY LIFE.

IN OUR COUNTRY, THE VALIANT STRUGGLE OF THE AFGHAN PEOPLE AND THE MUJAHIDIN HAVE ENJOYED REMARKABLE BIPARTISAN SUPPORT, FIRST UNDER PRESIDENT CARTER AND THEN UNDER PRESIDENT REAGAN. WITH THE SAME BIPARTISAN UNITY, CONGRESS AND THE EXECUTIVE BRANCH JOINTLY FASHIONED AN AMERICAN POLICY THAT LEFT NO DOUBT WHERE THE UNITED STATES STOOD IN THIS STRUGGLE BETWEEN FREEDOM AND OPPRESSION. LATER ON TODAY, OUR SUBCOMMITTEE MAY CONSIDER A RESOLUTION WHICH I HOPE WILL ENJOY SIMILAR BIPARTISAN SUPPORT. THE RESOLUTION EXPRESSES THE SUPPORT OF THE HOUSE FOR THE GENEVA ACCORDS AND STATES THAT THE RESPONSIBILITIES OF THE UNITED STATES AND THE SOVIET UNION AS GUARANTORS MUST BE SYMMETRICAL. THE RESOLUTION ALSO EXPRESSES ITS SUPPORT FOR U.S. PARTICIPATION IN THE INTERNATIONAL EFFORT FOR THE RECONSTRUCTION AND RECONCILIATION OF

AFGHANISTAN IN THE CONTEXT OF A FULL SOVET WITHDRAWAL AND CONDITIONS WHICH PERMIT THE SAFE RETURN OF THE REFUGEES.

LAST MONTH'S CONCLUSION OF THE GENEVA NEGOTIATIONS HAS NOW BEEN FOLLOWED BY THE BEGINNINGS OF THE SOVET TROOP WITHDRAWAL. PERHAPS THE CHEERING CROWDS IN KABUL RECOGNIZED THAT IF MOSCOW FULLY HONORS THE TERMS OF THE GENEVA AGREEMENTS AND WITHDRAWS ALL OF ITS FORCES IN TEN MONTHS, THE SCALE OF THE FIGHTING SHOULD SUBSTANTIALLY DIMISH, WHICH WILL HELP TO FACILITATE THE RETURN OF THE REFUGEES, AND SOON MAKE POSSIBLE THE EMERGENCE OF A GOVERNMENT IN KABUL THAT REFLECTS THE TRUE WILL AND WISHES OF THE AFGHAN PEOPLE. ONCE THAT OCCURS, AN INTERNATIONAL CONSENSUS CAN BE DEVELOPED TO UNDERTAKE THE RECONSTRUCTION AND REHABILITATION OF AFGHANISTAN THAT IS SO URGENTLY NEEDED.

TODAY'S HEARING WILL GIVE THE SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS AN OPPORTUNITY TO HEAR THE ADMINISTRATION'S VIEWS ON THE SIGNIFICANCE OF THE GENEVA ACCORDS, THE U.S. ROLE AS A GUARANTOR OF THOSE ACCORDS AND RECENT DEVELOPMENTS IN AFGHANISTAN. OUR WITNESS WILL BE MR. ROBERT PECK, THE DEPUTY ASSISTANT SECRETARY OF STATE FOR NEAR EASTERN AND SOUTH ASIAN AFFAIRS. MR. VINCENT CANNISTRARO, AN ASSISTANT TO THE ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS WILL ALSO BE AVAILABLE TO ANSWER ANY QUESTIONS MEMBERS MIGHT HAVE ON TECHNICAL OR LOGISTICAL ISSUES.

Mr. LEACH. Well, thank you, Mr. Chairman. I would certainly share the Chairman's opening views and simply stress that what appears to be taking place is one of the turning points of the 20th century. The role the United States has played in negotiations is unclear in the sense of its import; that is, whether or not this event would have occurred without these negotiations is conjectural.

On the other hand, it appears that the United States certainly has participated from the beginning in discussions with the Soviet Union on a constructive basis aimed at getting the troops out of the country without, at least on the negotiating side, a lot of the polemics that sometimes occur in negotiations of this nature. At the same time it is also clear that the policy of the United States in other ways outside the negotiating arena was exceedingly firm and I think was a major contributing factor to the ability of the Mujahidin to appear to prevail in a classically important struggle.

In any regard, I certainly look forward to the testimony of our witness on the import of the accord and the meaning of the accord, particularly the implications of a definitive accord in which there is a reservation that appears to go against the precise meaning of the accord that has taken place.

With that, I yield my time.

Mr. SOLARZ. Mr. Atkins?

Mr. ATKINS. Thank you, Mr. Chairman. I would just like to observe that after eight and a half years of brutal Russian aggression in Afghanistan, U.S. policy is finally paying off. And I think it is important to note that, indeed, there is a role for bipartisanship in our foreign policy. I would also like to offer the caution that as we look at what has essentially been the primary focus of our foreign policy, the withdrawal of Soviet troops, it seems to me we increasingly have to focus on what happens after the withdrawal of Soviet troops. In particular, we need to look at the tremendous problems in logistical efforts that will occur in terms of the unprecedented number of refugees from Afghanistan and how they are resettled in the country in some fashion.

I am delighted by the speed with which the United Nations has focused attention on the problem. However, I hope that as we celebrate the withdrawal of the Soviet troops, our attention is not diverted from the enormous responsibility we have to see that the refugees are appropriately resettled in a way that Afghanistan can return to some form of democratic government.

Mr. SOLARZ. We are pleased to have the gentleman from New Jersey join us. Do you care to make a statement?

Mr. TORRICELLI. Thank you, Mr. Chairman, for your kind welcome. No, thank you, Mr. Chairman.

Mr. SOLARZ. Mr. Peck, please proceed.

**STATEMENT OF HON. ROBERT A. PECK, DEPUTY ASSISTANT SECRETARY OF STATE FOR NEAR EAST AND SOUTH ASIA AFFAIRS,  
U.S. DEPARTMENT OF STATE**

Mr. PECK. Thank you, Mr. Chairman. I on these occasions normally limit my oral remarks, but today, in the absence of a written statement submitted in advance, I perhaps will go at some length since I have an oral statement which responds directly to the ques-



tions submitted by the subcommittee. And I think it perhaps would be useful for me then to go through it in some detail.

Mr. SOLARZ. Please do.

Mr. PECK. On February 25 of this year I expressed the view to this subcommittee in my last appearance that we might be on the threshold of an historic achievement in Afghanistan. I am delighted now to be in a position to report back that history is, indeed, in the making as Soviet troops withdraw from Afghanistan.

This Administration with the bipartisan support of this subcommittee and the Congress has pursued steady policies in support of the Afghan freedom struggle, and we can all take satisfaction from this achievement. The Soviet withdrawal has, of course, only begun and there are many imponderables remaining in the present situation. I thus welcome the opportunity to discuss with you the current situation and our own policies.

The instruments signed in Geneva on April 14 are now public documents. In addition, I would call your attention to the statement circulated to the other parties and issued by the United States in connection with the signature of the settlement. This statement reflects the understandings between the United States and the Soviet Union which made it possible for us to agree to act as a guarantor of the settlement.

The most significant provision of the Geneva settlement is the requirement for the withdrawal of Soviet troops on an agreed and front-loaded timetable. The settlement also provides for an end to interference and intervention in the internal affairs of Afghanistan and Pakistan, as well as for the return of the refugees in safety and honor. We are confident that the early end of the Soviet occupation of Afghanistan will create conditions for an exercise of self-determination by the Afghan people, which has been one of the central goals of repeated U.N. resolutions and of United States policy.

While only a few days have passed since entry into force of the settlement, we are encouraged by initial developments. Soviet preparations for the withdrawal of their troops are countrywide and extensive, indicating an apparent intention to mount a rapid and complete withdrawal. Soviet units are redeploying from forward combat positions, and garrisons are being turned over to regime armed forces. Some facilities are being dismantled, and units are forming up for departure by road and air to the Soviet Union. The preparations we have seen are consistent with the departure of 30,000 Soviet troops by May 29, the initial target set by the Soviet commander in Afghanistan during a May 14 press conference. If the Soviets meet their commitment to remove 50 percent of their troops by August 15, our expectation is that military considerations will dictate a rapid withdrawal thereafter, and that the Soviets will be out of Afghanistan well in advance of the February 15 deadline set in the accords.

We have made clear our support for the Geneva Accords, but we have also underscored that this in no way limits our ability to support the Afghan freedom fighters, and this support will continue. At the same time, we have stated that if the Soviets exercise restraint, we will similarly exhibit restraint. The Soviets have, in fact, said that they will continue military assistance to the regime

under existing agreements, and this position seemed to be confirmed by the statement of General Gromov on May 14 that the USSR would turn over to the regime facilities and supplies worth \$1 billion during the withdrawal. We consider that the transfer within the country of ammunition and equipment from Soviet to Afghan control constitutes a direct form of military supply. We will, of course, not rely on Soviet statements on these matters, and will monitor their performance on the ground carefully and draw our own conclusions.

We have raised with the Soviets our expectations that their withdrawal from Afghanistan is to include all Soviet military and security advisors, along with Soviet combat troops. We believe that the continued presence of such advisors would be inconsistent with Soviet withdrawal obligations and with their commitment to noninterference and nonintervention. The Soviets have hinted that the numbers of such advisors will be sharply reduced, and that they might be restricted to headquarters responsibilities. But they have refused a formal commitment to end such assistance altogether.

While this is an important matter of principle, we do not believe that the continued presence of Soviet advisors will have a significant military impact. The thousands of Soviet advisors dispatched to Afghanistan in 1978 and 1979 failed to shore up a failing PDPA military effort. Faced with the likelihood of a rapid collapse of the regime, our expectation is that the Soviets will take a cautious approach to leaving a significant number of Soviet advisors in exposed positions, particularly outside the capital.

We do not believe that the continuation of Soviet military and economic assistance to the Kabul regime will significantly enhance the survivability of that regime. The regime's armed forces have always been generously supplied, and there has been a surge of deliveries in recent months. The regime's problems are not material, but rather with motivation, leadership and morale. The rapid fall of district capitals in recent weeks has begun a process of defeat, defection and retreat which is likely to gain momentum as the Soviets abandon major garrisons and cities. We believe that the regime's tenure will not be prolonged and that the way will soon be opened for freedom and self-determination for the Afghans.

The alliance has indicated an intention to establish a provisional government inside Afghanistan as soon as a suitable location has been secured. The United States welcomes these and other efforts under way to create a political alternative to the present illegitimate regime. It is entirely natural that the support enjoyed by the Afghan resistance would find an early political expression. Our own actions will be guided by one overriding principle, namely, that only the Afghan people themselves can select their leaders and political system. The recognition which will really count is the recognition of the Afghan people themselves. Thus, we do not expect to take the lead on this matter and will employ the general criteria which we apply in establishing relations with new governments in other such situations.

Regarding a possible Soviet response to such a development, there would be no reason in our view for internal Afghan political developments to affect in any way the fulfillment of Soviet commitments under international agreement to withdraw their troops on

the agreed timetable. We believe that the Soviets themselves see that it is in their own interest to complete their withdrawal promptly.

The signatories to the Geneva Accords agreed that Mr. Cordovez should, in a personal capacity, continue his efforts to promote an intra-Afghan dialogue aimed at the formation of a new government in Kabul. Given the positions of the various factions, this is of course a daunting task, but no less important because of the difficulties it entails. As regards his intentions, however, we'll have to let Mr. Cordovez speak for himself.

The United States has urged the Secretary General and the constituent U.N. organizations to take the lead in planning and organizing efforts to assist in the repatriation and resettlement of Afghan refugees. We have underscored our view that aid should be provided directly to the returning refugees and that it not be channeled through the Kabul regime authorities who have no capability to deliver services in the countryside and who could be expected to exploit such aid for political purposes. We are delighted with the appointment of Sadruddin Aga Khan as overall coordinator. He is uniquely qualified for this difficult assignment and will have our full cooperation. We expect that the UNHCR, along with the World Food Program, will have the major institutional responsibility for repatriation activities. We expect that additional U.N. and other organizations will take part in resettlement assistance, as well as a large number of private voluntary organizations.

The United States is already making a major contribution to the refugees and to the people of Afghanistan. Our overall humanitarian assistance this year alone will amount to nearly \$119 million. We intend to continue these programs, including both our international assistance to refugees and our very successful cross-border program providing food, medical, agricultural and commodity assistance inside Afghanistan. Our past and current efforts in support of the Afghan cause are well known, and we believe that others will now be prepared to step up and bear a major part of the burden for the new resettlement programs.

We are, however, considering ways to stretch existing and requested resources to accommodate expected appeals from the U.N. for additional funds. Given the limits imposed on us by last year's bipartisan budget agreement between the Administration and the congressional leadership, we are not contemplating any request to the Congress for a supplemental. We will not have a good idea of the magnitude of the requirements until the new U.N. coordinator has completed his initial survey and an appeal has been issued.

Let me add that there is a significant contribution which the Soviets can make to the safe return of the refugees, and that is to remove the mines that they have sown and to provide maps of their mine fields. We have urged the Soviets to do this, but have not gotten a satisfactory reply. We will press the matter bilaterally and urge the U.N. and other governments to do so as well. Mine removal is an immediate and major humanitarian concern.

I would be happy to answer additional questions.

[Prepared statement of Mr. Peck follows:]

TESTIMONY OF ROBERT A. PECK  
DEPUTY ASSISTANT SECRETARY OF STATE  
BEFORE THE SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS

MAY 19, 1988

MR. CHAIRMAN. MEMBERS OF THE SUBCOMMITTEE. ON FEBRUARY 25 OF THIS YEAR I EXPRESSED THE VIEW TO THIS SUBCOMMITTEE THAT WE MIGHT BE ON THE THRESHOLD OF AN HISTORIC ACHIEVEMENT IN AFGHANISTAN. I AM DELIGHTED NOW TO BE IN A POSITION TO REPORT BACK THAT HISTORY IS INDEED IN THE PROCESS OF BEING MADE AS SOVIET TROOPS WITHDRAW FROM AFGHANISTAN. THIS ADMINISTRATION, WITH THE BIPARTISAN SUPPORT OF THIS SUBCOMMITTEE AND THE CONGRESS, HAS PURSUED STEADY POLICIES IN SUPPORT OF THE AFGHAN FREEDOM STRUGGLE, AND WE CAN ALL TAKE SATISFACTION FROM THIS ACHIEVEMENT. THE SOVIET WITHDRAWAL HAS, OF COURSE, ONLY BEGUN, AND THERE ARE MANY IMPONDERABLES REMAINING IN THE PRESENT SITUATION. I THUS WELCOME THE OPPORTUNITY TO DISCUSS WITH YOU THE CURRENT SITUATION AND OUR OWN POLICIES. THE FOLLOWING STATEMENT RESPONDS SPECIFICALLY TO THE QUESTIONS SUBMITTED IN ADVANCE BY THE SUBCOMMITTEE.

THE INSTRUMENTS SIGNED IN GENEVA ON APRIL 14 ARE NOW PUBLIC DOCUMENTS. IN ADDITION, I WOULD CALL YOUR ATTENTION TO THE STATEMENT CIRCULATED TO THE OTHER PARTIES AND ISSUED BY THE

UNITED STATES IN CONNECTION WITH THE SIGNATURE OF THE SETTLEMENT. THIS STATEMENT REFLECTS THE UNDERSTANDINGS BETWEEN THE UNITED STATES AND THE SOVIET UNION WHICH MADE IT POSSIBLE FOR US TO AGREE TO ACT AS A "GUARANTOR" OF THE SETTLEMENT.

THE MOST SIGNIFICANT PROVISION OF THE GENEVA SETTLEMENT IS THE REQUIREMENT FOR THE WITHDRAWAL OF SOVIET TROOPS ON AN AGREED AND FRONT-LOADED TIMETABLE. THE SETTLEMENT ALSO PROVIDES FOR AN END TO INTERFERENCE AND INTERVENTION IN THE INTERNAL AFFAIRS OF AFGHANISTAN AND PAKISTAN, AND THE RETURN OF THE REFUGEES IN SAFETY AND HONOR. WE ARE CONFIDENT THAT THE EARLY END OF THE SOVIET OCCUPATION OF AFGHANISTAN WILL CREATE CONDITIONS FOR AN EXERCISE OF SELF-DETERMINATION BY THE AFGHAN PEOPLE, WHICH HAS BEEN ONE OF THE CENTRAL GOALS OF REPEATED UN RESOLUTIONS AND OF UNITED STATES POLICY.

WHILE ONLY A FEW DAYS HAVE PASSED SINCE ENTRY INTO FORCE OF THE SETTLEMENT, WE ARE ENCOURAGED BY INITIAL DEVELOPMENTS. SOVIET PREPARATIONS FOR THE WITHDRAWAL OF THEIR TROOPS ARE COUNTRYWIDE AND EXTENSIVE, INDICATING AN APPARENT INTENTION TO MOUNT A RAPID AND COMPLETE WITHDRAWAL. SOVIET UNITS ARE REDEPLOYING FROM FORWARD, COMBAT POSITIONS, AND GARRISONS ARE BEING TURNED OVER TO REGIME ARMED FORCES. SOME FACILITIES ARE BEING DISMANTLED, AND UNITS ARE FORMING UP FOR DEPARTURE BY

ROAD AND AIR TO THE SOVIET UNION. THE PREPARATIONS WE HAVE SEEN ARE CONSISTENT WITH THE DEPARTURE OF 30,000 TROOPS BY MAY 29, THE INITIAL TARGET SET BY THE SOVIET COMMANDER IN AFGHANISTAN DURING A MAY 14 PRESS CONFERENCE. IF THE SOVIETS MEET THEIR COMMITMENT TO REMOVE 50% OF THEIR TROOPS BY AUGUST 15, OUR EXPECTATION IS THAT MILITARY CONSIDERATIONS WILL DICTATE A RAPID WITHDRAWAL THEREAFTER, AND THAT THE SOVIETS WILL BE OUT OF AFGHANISTAN WELL IN ADVANCE OF THE FEBRUARY 15 DEADLINE SET IN THE ACCORDS.

WE HAVE MADE CLEAR OUR SUPPORT FOR THE GENEVA ACCORDS, BUT HAVE ALSO UNDERScoreD THAT THIS IN NO WAY LIMITS OUR ABILITY TO SUPPORT THE AFGHAN FREEDOM FIGHTERS, AND THIS SUPPORT WILL CONTINUE. AT THE SAME TIME, WE HAVE STATED THAT IF THE SOVIETS EXERCISE RESTRAINT, WE WILL SIMILARLY EXHIBIT RESTRAINT. THE SOVIETS HAVE, IN FACT, SAID THAT THEY WILL CONTINUE MILITARY ASSISTANCE TO THE REGIME UNDER EXISTING AGREEMENTS, AND THIS POSITION SEEMED TO BE CONFIRMED BY THE STATEMENT OF GENERAL GRONOV ON MAY 14 THAT THE USSR WOULD TURN OVER TO THE REGIME FACILITIES AND SUPPLIES WORTH \$1 BILLION DURING THE WITHDRAWAL. WE CONSIDER THAT THE TRANSFER WITHIN THE COUNTRY OF AMMUNITION AND EQUIPMENT FROM SOVIET TO AFGHAN CONTROL CONSTITUTES A DIRECT FORM OF MILITARY SUPPLY. WE WILL, OF COURSE, NOT RELY ON SOVIET STATEMENTS ON THESE MATTERS, AND

WILL MONITOR THEIR PERFORMANCE ON THE GROUND CAREFULLY AND DRAW OUR OWN CONCLUSIONS.

WE HAVE RAISED WITH THE SOVIETS OUR EXPECTATION THAT THEIR WITHDRAWAL FROM AFGHANISTAN IS TO INCLUDE ALL SOVIET MILITARY AND SECURITY ADVISERS ALONG WITH SOVIET COMBAT TROOPS. WE BELIEVE THAT THE CONTINUED PRESENCE OF SUCH ADVISERS WOULD BE INCONSISTENT WITH SOVIET WITHDRAWAL OBLIGATIONS AND WITH THEIR COMMITMENT TO NON-INTERFERENCE AND NON-INTERVENTION.

THE SOVIETS HAVE HINTED THAT THE NUMBERS OF SUCH ADVISERS WILL BE SHARPLY REDUCED, AND THAT THEY MIGHT BE RESTRICTED TO HEADQUARTERS RESPONSIBILITIES, BUT THEY HAVE REFUSED A FORMAL COMMITMENT TO END SUCH ASSISTANCE ALTOGETHER. WHILE THIS IS AN IMPORTANT MATTER OF PRINCIPLE, WE DO NOT BELIEVE THAT THE CONTINUED PRESENCE OF SOVIET ADVISERS WILL HAVE A SIGNIFICANT MILITARY IMPACT. THE THOUSANDS OF SOVIET ADVISERS DISPATCHED TO AFGHANISTAN IN 1978 AND 1979 FAILED TO SHORE UP A FAILING PDPA MILITARY EFFORT. FACED WITH THE LIKELIHOOD OF A RAPID COLLAPSE OF THE REGIME, OUR EXPECTATION IS THAT THE SOVIETS WILL TAKE A CAUTIOUS APPROACH TO LEAVING A SIGNIFICANT NUMBER OF SOVIET ADVISERS IN EXPOSED POSITIONS, PARTICULARLY OUTSIDE THE CAPITAL.

WE DO NOT BELIEVE THAT THE CONTINUATION OF SOVIET MILITARY

AND ECONOMIC ASSISTANCE TO THE KABUL REGIME WILL SIGNIFICANTLY ENHANCE THE SURVIVABILITY OF THE REGIME. THE REGIME'S ARMED FORCES HAVE ALWAYS BEEN GENEROUSLY SUPPLIED, AND THERE HAS BEEN A SURGE OF DELIVERIES IN RECENT MONTHS. THE REGIME'S PROBLEMS ARE NOT MATERIAL, BUT RATHER WITH MOTIVATION, LEADERSHIP AND MORALE. THE RAPID FALL OF DISTRICT CAPITALS IN RECENT WEEKS HAS BEGUN A PROCESS OF DEFEAT, DEFECTION AND RETREAT WHICH IS LIKELY TO GAIN MOMENTUM AS THE SOVIETS ABANDON MAJOR GARRISONS AND CITIES. WE BELIEVE THAT THE REGIME'S TENURE WILL NOT BE PROLONGED AND THAT THE WAY WILL SOON BE OPENED FOR FREEDOM AND SELF-DETERMINATION.

THE ALLIANCE HAS INDICATED AN INTENTION TO ESTABLISH APROVISIONAL GOVERNMENT INSIDE AFGHANISTAN AS SOON AS A SUITABLE LOCATION HAS BEEN SECURED. THE UNITED STATES WELCOMES THESE AND OTHER EFFORTS UNDERWAY TO CREATE A POLITICAL ALTERNATIVE TO THE PRESENT ILLEGITIMATE REGIME. IT IS ENTIRELY NATURAL THAT THE SUPPORT ENJOYED BY THE AFGHAN RESISTANCE SHOULD FIND AN EARLY POLITICAL EXPRESSION. OUR OWN ACTIONS WILL BE GUIDED BY ONE OVERRIDING PRINCIPLE, NAMELY, THAT ONLY THE AFGHAN PEOPLE THEMSELVES CAN SELECT THEIR LEADERS AND POLITICAL SYSTEM. THE RECOGNITION WHICH WILL REALLY COUNT IS THE RECOGNITION OF THE AFGHAN PEOPLE THEMSELVES. THUS, WE DO NOT EXPECT TO TAKE THE LEAD ON THIS MATTER, AND WILL EMPLOY THE



GENERAL CRITERIA WHICH WE APPLY IN ESTABLISHING RELATIONS WITH NEW GOVERNMENTS IN OTHER SUCH SITUATIONS. REGARDING A POSSIBLE SOVIET RESPONSE, THERE WOULD BE NO REASON FOR INTERNAL AFGHAN POLITICAL DEVELOPMENTS TO AFFECT IN ANY WAY THE FULFILLMENT OF SOVIET COMMITMENTS, UNDER INTERNATIONAL AGREEMENT, TO WITHDRAW THEIR TROOPS ON THE AGREED TIMETABLE. WE BELIEVE THAT THE SOVIETS SEE THAT IT IS IN THEIR OWN INTEREST TO COMPLETE THEIR WITHDRAWAL PROMPTLY.

THE SIGNATORIES TO THE GENEVA ACCORDS AGREED THAT MR. CORDOVEZ SHOULD, IN A PERSONAL CAPACITY, CONTINUE HIS EFFORTS TO PROMOTE AN INTRA-AFGHAN DIALOGUE AIMED AT THE FORMATION OF A NEW GOVERNMENT IN KABUL. GIVEN THE POSITIONS OF THE VARIOUS FACTIONS, THIS IS A DAUNTING TASK, BUT NO LESS IMPORTANT BECAUSE OF THE DIFFICULTIES IT ENTAILS. AS REGARDS HIS INTENTIONS, HOWEVER, WE WILL HAVE TO LET MR. CORDOVEZ SPEAK FOR HIMSELF.

THE UNITED STATES HAS URGED THE SECRETARY GENERAL AND THE CONSTITUENT UN ORGANIZATIONS TO TAKE THE LEAD IN PLANNING AND ORGANIZING EFFORTS TO ASSIST IN THE REPATRIATION AND RESETTLEMENT OF AFGHAN REFUGEES. WE HAVE UNDERScored OUR VIEW THAT AID SHOULD BE PROVIDED DIRECTLY TO THE RETURNING REFUGEES, AND THAT IT NOT BE CHanneled THROUGH THE KABUL REGIME

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AUTHORITIES WHO HAVE NO CAPABILITY TO DELIVER SERVICES IN THE COUNTRYSIDE AND WHO COULD BE EXPECTED TO EXPLOIT SUCH AID FOR POLITICAL PURPOSES. WE ARE DELIGHTED WITH THE APPOINTMENT OF SADRUDDIN AGA KHAN AS OVERALL COORDINATOR. HE IS UNIQUELY QUALIFIED FOR THIS DIFFICULT ASSIGNMENT, AND WILL HAVE OUR FULL COOPERATION. WE EXPECT THAT THE UNHCR, ALONG WITH THE WFP, WILL HAVE THE MAJOR INSTITUTIONAL RESPONSIBILITY FOR REPATRIATION ACTIVITIES. WE EXPECT THAT ADDITIONAL UN AND OTHER INTERNATIONAL ORGANIZATIONS WILL TAKE PART IN RESETTLEMENT ASSISTANCE, AS WELL AS A LARGE NUMBER OF PRIVATE VOLUNTARY ORGANIZATIONS.

THE UNITED STATES IS ALREADY MAKING A MAJOR CONTRIBUTION TO THE REFUGEES AND TO THE PEOPLE OF AFGHANISTAN. OUR OVERALL HUMANITARIAN ASSISTANCE THIS YEAR ALONE WILL AMOUNT TO NEARLY \$119 MILLION. WE INTEND TO CONTINUE THESE PROGRAMS, INCLUDING BOTH OUR INTERNATIONAL ASSISTANCE TO REFUGEES AND OUR VERY SUCCESSFUL CROSS-BORDER PROGRAM PROVIDING FOOD, MEDICAL, AGRICULTURAL AND COMMODITY ASSISTANCE INSIDE AFGHANISTAN. OUR PAST AND CURRENT EFFORTS IN SUPPORT OF THE AFGHAN CAUSE ARE WELL KNOWN, AND WE BELIEVE THAT OTHERS WILL NOW BE PREPARED TO STEP UP AND BEAR A MAJOR PART OF THE BURDEN FOR NEW

RESETTLEMENT PROGRAMS. WE ARE, HOWEVER, CONSIDERING WAYS TO STRETCH EXISTING AND REQUESTED RESOURCES TO ACCOMMODATE EXPECTED APPEALS FROM THE UN FOR ADDITIONAL FUNDS. GIVEN THE LIMITS IMPOSED ON US BY LAST FALL'S BIPARTISAN BUDGET AGREEMENT BETWEEN THE ADMINISTRATION AND THE CONGRESSIONAL LEADERSHIP, HOWEVER, WE ARE NOT CONTEMPLATING ANY REQUEST TO THE CONGRESS FOR A SUPPLEMENTAL. WE WILL NOT HAVE A GOOD IDEA OF THE MAGNITUDE OF THE REQUIREMENTS UNTIL THE NEW UN COORDINATOR HAS COMPLETED HIS INITIAL SURVEY AND AN APPEAL HAS BEEN ISSUED.

LET ME ADD THAT THERE IS A SIGNIFICANT CONTRIBUTION WHICH THE SOVIETS CAN MAKE TO THE SAFE RETURN OF REFUGEES, AND THAT IS TO REMOVE THE MINES THEY HAVE SOWN AND TO PROVIDE MAPS OF THEIR MINEFIELDS. WE HAVE URGED THE SOVIETS TO DO THIS, BUT HAVE NOT GOTTEN A SATISFACTORY REPLY. WE WILL PRESS THE MATTER BILATERALLY AND URGE THE UN AND OTHER GOVERNMENTS TO DO SO AS WELL. MINE REMOVAL IS AN IMMEDIATE AND MAJOR HUMANITARIAN CONCERN.

I WOULD BE HAPPY TO ANSWER YOUR QUESTIONS.

**Mr. SOLARZ.** Thank you very much, Mr. Peck.

Let me, first of all, pay tribute to you for your own herculean efforts to bring this agreement about. I think you really deserve an enormous amount of credit. You exemplify the finest traditions of the Foreign Service and demonstrate once again how American diplomats have the capacity to contribute constructively to the peaceful resolution of conflicts around the world. And I take a real sense of pride as an American in what you and your associates have been able to accomplish.

Now, having praised you so lavishly, let me ask you a couple of questions about the Accords. I believe it is very important for the United States to live up to whatever commitments we undertake when we sign an international agreement. And if we're not prepared to live up to such agreements, then I do not think we should sign them. The word of this country is important and any unwillingness on our part to fully carry out our obligations under any international agreement will only raise questions about our willingness to do so with respect to future agreements. Over the long run, that can have corrosive consequences for the credibility of our country.

I am somewhat concerned about an apparent contradiction between the formal commitments we made in the Declaration on International Guarantees and the statement we simultaneously issued at the time we signed this instrument. You will note in the fourth paragraph in the Declaration on International Guarantees, it says that the United States together with the Soviet Union, "undertake to invariably refrain from any form of interference and intervention in the internal affairs of the Republic of Afghanistan and to respect the commitments contained in the bilateral agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan."

However, in the U.S. statement which was simultaneously issued, we said in paragraph 2, "The obligations undertaken by the guarantors are symmetrical. In this regard, the United States has advised the Soviet Union that the U.S. retains the right, consistent with its obligations as guarantor, to provide military assistance to parties in Afghanistan. Should the Soviet Union exercise restraint in providing military assistance to parties in Afghanistan, the U.S. similarly will exercise restraint."

I would like to ask you to clarify what appears to be an apparent contradiction. Are we saying in this statement, in effect, that in spite of our formal undertaking not to interfere in the internal affairs of Afghanistan, we have the right, nevertheless, to provide military assistance to the Mujahidin even if the Soviet Union refrains from interfering in the internal affairs of Afghanistan as it has committed itself to do in these accords?

**Mr. PECK.** The simple answer to that question, Mr. Chairman, is yes, that we have asserted such a right. But let me make two points.

The explanatory statement that we issued in connection with the signature of the accords provides an authoritative interpretation of the United States Government of our obligations under the accords, and under international law that kind of a statement has an important impact. It is a statement which did not just materialize

out of nowhere, but came from a series of discussions with the Soviet Union, as well as with the other parties, in which we sought an understanding on the obligations of the guarantors. We reached with the Soviet Union a certain understanding not on all points, but certainly a clear understanding as to how the United States intended to interpret its rights and obligations and that understanding was clearly conveyed to the Soviet Union well in advance of the signature date. So, this statement in our view is an integral part of the overall settlement and will certainly guide our behavior in carrying out our responsibilities.

**Mr. SOLARZ.** Clearly, we have taken the position that we have the right to provide military assistance to the Mujahidin if the Soviets provide military assistance to the Kabul regime.

**Mr. PECK.** That's correct.

**Mr. SOLARZ.** And we have said that if they show restraint in providing assistance to the Kabul regime, we would show similar restraint in providing assistance to the Mujahidin.

**Mr. PECK.** That's correct.

**Mr. SOLARZ.** However, I understand from what you said that we also have taken the position that even if they do not provide any more assistance to the Kabul regime, we have the right, consistent with this agreement, to provide assistance to the Mujahidin. Is that correct?

**Mr. PECK.** Yes. In fact, Mr. Chairman, this was an interpretation of the text which was suggested to us by the Soviet Union; that is, that there is nothing in the guarantees instruments which would affect the ability of either guarantor to provide military assistance to factions in Afghanistan.

**Mr. SOLARZ.** Well, that interpretation suggests either that the Soviets have fallen in love with oxymorons or that their linguistic department isn't producing capable translators any longer.

If it is, in fact, the interpretation of both the United States and the Soviet Union that the U.S. is not to provide assistance to the Mujahidin is in no way inconsistent with the commitment we have undertaken not to interfere in the internal affairs of Afghanistan, can you tell me what would constitute an interference in the internal affairs of Afghanistan? If providing military assistance to one of the parties to the conflict in Afghanistan is not an interference in their internal affairs, what action would be considered an interference?

**Mr. PECK.** Well, let me make my second point which bears on the answer to that question which is that under the present circumstances, there really is I think a legitimate question as to who is interfering in Afghanistan. We do not consider that the Kabul regime is a legitimate government of Afghanistan. We consider that the Afghan resistance, which we have been supporting, indeed represents in a very important way the aspirations of the Afghan people to be rid of the Soviet occupation and to govern themselves in the way they choose. And, therefore, I think one can make a legitimate point that support to the Afghan resistance is not interference in the internal affairs of Afghanistan.

**Mr. SOLARZ.** So, in other words, our position is that the Mujahidin are much more representative of the Afghan people than the Kabul regime. Therefore, providing help to them, you argue, is not

an interference in the internal affairs of Afghanistan. The Soviets presumably argue that the Kabul regime represents the people of Afghanistan. It is represented at the U.N. It has a degree of international recognition, and therefore it represents the people of Afghanistan. And their support of the Kabul regime, therefore, is not an interference in the internal affairs of Afghanistan. Is that a fair interpretation?

Mr. PECK. That's correct.

Mr. SOLARZ. That is both our interpretation and their interpretation? Do the Soviets understand and accept our interpretation and do we understand and accept their interpretation?

Mr. PECK. No.

Mr. SOLARZ. As their interpretation?

Mr. PECK. Well, as their interpretation, absolutely. But there is one additional point, and that is that we have a bilateral agreement—that is, the instrument on guarantees. This is an agreement signed only by the United States and the Soviet Union. We have an agreed interpretation between us of the meaning of that text.

Mr. SOLARZ. Do we believe that military assistance from the Soviet Union to the Kabul regime would constitute an interference in the internal affairs of Afghanistan.

Mr. PECK. Would you repeat that please?

Mr. SOLARZ. Is it our position that if the Soviets provide military assistance to the Kabul regime, it would constitute an interference in the internal affairs of Afghanistan and therefore would be considered a violation by the Soviet Union of their commitments in this agreement not to interfere in the internal affairs of Afghanistan?

Mr. PECK. No, we do not believe that. We believe that the Soviet Union has a reciprocal right with the other guarantor, with the United States, to provide military assistance to factions in Afghanistan or, as we have said in our statement, to Afghanistan.

Mr. SOLARZ. In other words, we are taking the position that if the Soviet Union provides arms and ammunition to the Kabul regime, it is not, ipso facto, in violation of the agreement?

Mr. PECK. That is correct.

Mr. SOLARZ. This is a novel interpretation, Mr. Secretary. Has Abe Sofaer signed off on this?

Mr. PECK. Yes, he has.

Mr. SOLARZ. Was he the originator of this?

[Laughter.]

Mr. SOLARZ. I mean, this exceeds his creative reinterpretation of the ABM Treaty.

Would we consider the presence of Soviet military advisors in Afghanistan after the deadline for the withdrawal of all Soviet forces from Afghanistan to be a violation of the agreement?

Mr. PECK. We would because we consider that the Soviets have a clear responsibility to withdraw all military forces from Afghanistan. That is an obligation flowing from the fourth instrument, and we consider that military and security advisors are covered by that obligation.

Mr. SOLARZ. And would we consider the presence of civilian advisors after the date for the withdrawal of all forces to be a violation of the agreement?

Mr. PECK. No, we would not.

Mr. SOLARZ. Could you tell us very briefly what the relationship is at the moment between the alliance and the commanders in the field in Afghanistan?

Mr. PECK. Well, it's a complex relationship as it always has been. There is, of course, a loyalty which exists from the commanders to the leaders in Peshawar and vice versa, from the leaders to the commanders who are significant figures in their own right based on their personal experience with one another. There is as well a supply relationship which has existed and which provides much of the institutional link.

Under present conditions, I think these relationships are changing rapidly. At least two of the leaders have returned to Afghanistan and others will undoubtedly follow shortly. And so, we'll see I think a rapid evolution of relationships and political ties over the coming weeks and months.

Mr. SOLARZ. I have just two final questions, Mr. Peck, and then I'll yield to my colleagues. Given this rather interesting interpretation of the prohibition on interference in the internal affairs of Afghanistan which seems to render it a nullity and a meaningless restriction, could you tell us what the Soviets have undertaken to do or not do as a result of this agreement that they would not have been willing to undertake to do if the negotiations had collapsed and they had simply commenced with the unilateral withdrawal outside the framework of this agreement?

Mr. PECK. The key obligation of the Soviet Union, indeed, the key facet of this entire agreement, is the requirement for the Soviet Union to withdraw its troops on an agreed timetable which is front-loaded, therefore, has bench marks, that they must meet. The Soviets had said in advance of the signing that they intended to withdraw their troops in any event. But that withdrawal under those conditions would have been against a timetable agreed between the Soviet Union and the ORA regime—that is, between the Soviet Union and Soviet agents in Kabul. Therefore, they would not be bound by an international agreement to meet a timetable, which they are as of the 14th of April.

Mr. SOLARZ. Anything else?

Mr. PECK. That in our view is the key provision.

Mr. SOLARZ. What about the monitoring provisions?

Mr. PECK. The monitors are stationed in Pakistan and Afghanistan at the invitation of the parties to observe and to report on violations by either of the parties.

Mr. SOLARZ. Are the monitors aware of this agreement we have with the Soviets on how to interpret noninterference? In other words, if the U.N. observers happen to spot American supplies going to the Mujahidin or Soviet supplies going to the Kabul regime, can we assume that they will not issue a report saying that both of us have violated the agreement?

Mr. PECK. Our statement has been officially circulated and provided to the Secretary General and issued as a U.N. document. So, certainly it is available to the monitors. In addition, we have called attention to the statement and to our interpretation of our rights and obligations in discussions with Mr. Cordovez who is in charge of this entire operation.

I can't predict with any confidence as to how they will carry out their responsibilities. There is a certain amount of ambiguity in the present situation. I think we'll just have to wait and see.

Mr. SOLARZ. Would Pakistan be in violation of the agreement if it permitted us to supply the Mujahidin on its territory?

Mr. PECK. Mr. Chairman, on that point I must yield to Pakistan to interpret its own obligations under the accord.

Mr. SOLARZ. Finally, Mr. Peck, you've seen the resolution which has been drafted expressing the sense of the Congress in support of the Geneva Accords on Afghanistan. Could you share with us your views on this effort to provide a measure of bipartisan support for what the Administration has done?

Mr. PECK. Well, Mr. Chairman, we certainly have seen the text and we very much welcome the strong support in the resolution for Administration policies and for the outcome which has been achieved through the Geneva agreement, as well as looking forward to the important tasks which flow from those agreements in terms of repatriation assistance. And so, we have no objection certainly to this resolution.

Mr. SOLARZ. Would you like us to move it forward or not? Would it help you or hurt you, or would it have no consequences one way or the other?

Mr. PECK. It certainly is in our view a positive resolution and obviously the choice as to whether you move it forward or not is one that we leave to the subcommittee.

Mr. SOLARZ. Thank you very much.

Mr. Leach?

Mr. LEACH. Well, let me just preface my comments with the personal observations that the Chairman made about yourself, and I share them. Having said that as a premise, I certainly share your view that the Afghan government in Kabul is illegitimate and this provides the basis for American action. I also share, as I think virtually everyone in Congress does, the reservation that the Secretary made about widening U.S. options under this agreement.

Now, having said that, I think it fair to present some reservations about the agreement in total, particularly based upon the premise just recently articulated by yourself that the Soviets had indicated an intent to leave in any regard. And so, the meaning of the agreement becomes more consequential, and I stress this as much for getting the happy result—and sometimes one of the great questions is why quibble when the result is happy, but a major aspect of this in everybody's mind is that it is precedent-setting. And there are several aspects of the precedent-setting arrangement that I think this Congress and the Administration ought to seriously address.

One aspect is, extraordinarily, the Soviet Union has agreed to utilize a United Nations mediator in a struggle in which it was a party. The United States of America has refused in Central America.

A second aspect—and this is particularly of the agreement language—itself is this whole problem of nullifying to a large extent the meaning of an agreement with an explanation. And so, one is left with the following dilemma. What if there is a similar agreement at some point in time in Central America? Would the United



States welcome this kind of Soviet nullification? If there is an arms control agreement on wordings of precision, would the United States of America welcome a unilateral explanation of meaning that would appear to nullify the intent of the agreement?

These are very serious matters and particularly in the context of a happy result that you have testified would be happy in any regard. And so, the only question of judgment is this whole issue of whether the Soviets would have negotiated exclusively with the Afghans or inclusively with outside parties as well. I'd like your comments on this. In particular, what consideration of the precedent aspects was undertaken in your considerations?

Mr. PECK. Mr. Leach, let me say first that, before the agreement was signed, I certainly was not at all confident—and I think few of us were—that the Soviets would carry through on their declared intention to withdraw on a unilateral or bilateral basis. This was what they said they would do, but I think that it was certainly prudent for us to seek to lock them into an agreement which carried with it significant penalties if they were to break it. The withdrawal of Soviet troops is a sufficiently important matter that I think that it was essential that we not leave this to the discretion of the Soviet leadership, particularly in view of the likelihood that any rapid withdrawal of Soviet troops will result in the fall of the Kabul regime.

One could have imagined a scenario in which the Soviets, in the course of a unilateral withdrawal, could have taken out a small number of troops and then lost heart after the Kabul regime had appealed. Or perhaps the country could have ended up divided in some way. There were a number of, certainly, scenarios which would have been very unattractive. So, I think that the achievement of an international commitment was a very significant and, indeed, an essential one to achieve our objectives.

Secondly, your concerns regarding the nullification of the agreement by a statement: perhaps you would like us to provide a paper or a interpretation from a legal point of view in writing. I'd be happy to do that. Mr. Leach. I'm not, of course, a lawyer.

Mr. LEACH. That would be very appropriate.

[The information follows:]



United States Department of State

Washington, D.C. 20520

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Dear Mr. Chairman:

As requested in the course of your May 19th hearing on the Afghan settlement, I am enclosing a memorandum prepared by the Office of the Legal Adviser discussing the understanding on symmetry between the United States and the Soviet Union as reflected in the U.S. statement, and the relationship between this understanding and the provisions of the instruments themselves. Other evidence confirms this understanding, including our right to its effective implementation. If you or your staff have any further questions, we stand ready to respond.

Sincerely,

A handwritten signature in cursive script that reads "J. Edward Fox".

J. Edward Fox  
Assistant Secretary  
Legislative Affairs

Enclosure:

As stated.

The Honorable  
Stephen J. Solarz,  
Chairman,  
Subcommittee on Asian and Pacific Affairs,  
House Foreign Affairs Committee,  
House of Representatives.

MEMORANDUM ON U.S. STATEMENT

The attached April 14 U.S. statement, circulated to the other parties and issued publicly by the U.S. in connection with the signature of the Afghanistan settlement, provides in part that:

"The obligations undertaken by the guarantors are symmetrical. In this regard, the United States has advised the Soviet Union that the U.S. retains the right, consistent with its obligations as guarantor, to provide military assistance to parties in Afghanistan. Should the Soviet Union exercise restraint in providing military assistance to parties in Afghanistan, the U.S. similarly will exercise restraint."

The U.S. statement was transmitted to UN Secretary General Perez de Cuellar under cover of a letter from Secretary Shultz which stated:

"The United States has agreed to act as a guarantor of the political settlement of the situation relating to Afghanistan. The United States has undertaken this role on the basis of certain understandings with the other parties. I enclose a statement by the United States setting forth those understandings. My government considers that statement and the understandings reflected in it to be integral to its undertakings as guarantor."

The U.S. statement, then, serves inter alia to publicly memorialize understandings on the military assistance issue arising from prior negotiations and written exchanges with the Soviets. The statement reflects the underlying agreement on what has been referred to as "positive symmetry," i.e., the undertakings of the guarantors are to be interpreted as retaining in each the right to provide military assistance to parties in Afghanistan. The preferred approach of the U.S. had been a mutual moratorium on such assistance; the Soviets rejected this. However, as was made clear to the Soviets and is reflected in the U.S. statement, the U.S. is prepared to exercise restraint if the Soviets do.

The Soviets and the other Geneva parties signed the Afghanistan settlement with full knowledge of the above understandings. Under principles of treaty interpretation as reflected in the Vienna Convention on the Law of Treaties, the Geneva instruments must be read in light of those understandings.

Attachment:

April 14 U.S. statement.

## U.S. Statement

The United States has agreed to act as a Guarantor of the political settlement of the situation relating to Afghanistan. We believe this settlement is a major step forward in restoring peace to Afghanistan, in ending the bloodshed in that unfortunate country, and in enabling millions of Afghan refugees to return to their homes.

In agreeing to act as a Guarantor, the United States states the following:

(1) The troop withdrawal obligations set out in paragraphs 5 and 6 of the instrument of inter-relationships are central to the entire settlement. Compliance with those obligations is essential to achievement of the settlement's purposes, namely, the ending of foreign intervention in Afghanistan and the restoration of the rights of the Afghan people through the exercise of self determination as called for by the United Nations Charter and the United Nations General Assembly resolutions on Afghanistan.

(2) The obligations undertaken by the guarantors are symmetrical. In this regard, the United States has advised the Soviet Union that the U.S. retains the right, consistent with its obligations as guarantor, to provide military assistance to parties in Afghanistan. Should the Soviet Union exercise restraint in providing military assistance to parties in Afghanistan, the U.S. similarly will exercise restraint.

(3) By acting as a guarantor of the settlement, the United States does not intend to imply in any respect recognition of the present regime in Kabul as the lawful government of Afghanistan.

Mr. PECK. But let me just say, from perhaps a layman's point of view with an understanding of the discussion of this matter among us in advance of the signing, that this was not a statement which was made lightly. It was a statement which was very carefully prepared in advance through extensive discussions with the Soviet Union, with full notification to the United Nations. We are aware that the Kabul regime also had constructive notice of our intentions and of this statement, and certainly the Pakistan government was fully aware and has, in fact, noted our understanding in its own signing statement. So, this was not simply an offhand action. It was an action which was carefully prepared. And there is a body of international law and practice in this regard which has been codified in the Vienna Convention on the Law of Treaties.

But we'd be happy to provide you with a fuller explanation from the legal point of view.

Mr. LEACH. I think that would be appropriate.

Let me ask further on this issue of symmetry, which has a ring of appeal to it that is very deep. We don't begin from a position of symmetry is one of the problems. I mean, after all, we don't have troops in Afghanistan; they do. And so, there is no perfect symmetry. There is an aspect of their providing equipment that might be analogous to our providing equipment, but even that is not symmetrical in the sense when they provide equipment to their own and we provide equipment to others. I mean, there is an element of lack of symmetry there as well.

If providing military aid is not inconsistent with the principle of symmetry, is then the symmetrical aspect of all of this less meaningful? Does that make sense to you?

Mr. PECK. I'm not sure I understood the question.

Mr. LEACH. If it's not inconsistent with the guarantor status, then is symmetry meaningless or not?

Mr. PECK. Well, but that is what is meant by symmetry. There are two guarantors and the rights and obligations of the guarantors are balanced and equal, reciprocal, symmetrical. That is what we mean that what the United States and the Soviet Union can or cannot do in regard to Afghanistan is the same.

Mr. LEACH. Let me turn back to the first question. Would the United States of America welcome a similar negotiation in Central America?

Mr. PECK. Oh, Mr. Leach, that is far beyond my brief today.

Mr. LEACH. Let me go back to your brief.

Assuming the Soviets meet their withdrawal obligations from Afghanistan, has the United States received assurances that the Soviet Union will not provide safe haven, military and logistical support for anti-Mujahidin forces located in the Soviet Union on the Soviet-Afghan border?

Mr. PECK. No, we have not received such assurances.

Mr. LEACH. Do you consider this a possible scenario in the future in a theoretical prospect or a serious one?

Mr. PECK. Well, of course, it is a theoretical possibility since the Soviet Union retains a long, basically undefended, border with Afghanistan. I think it would be the height of folly for the Soviet Union to engage in such an enterprise. My expectation is that the Soviet Union will return to a more traditional policy with Afghani-

stan seeking to extend its influence through aid and economic relationships, as well as through those who they may be able to influence through political means.

Mr. LEACH. On this issue of height of folly, I would like to have your comments on something that some Members of Congress are very concerned about. I have some doubts that their concerns are valid, but I want you to address this. There is concern that even if the Soviets withdraw all of their armed forces, they will be in a position to provide their friends much military equipment and leave it prepositioned, et cetera, in Afghanistan. Some suspect that that problem is a nonproblem because the Afghan anti-Soviet movement would immediately take control of it and the Soviets would not want to leave equipment for those that don't support them. Is that the view of the State Department, or do you think that there is a possibility that the Soviets can leave behind a great deal of equipment and continue to arm anti-Mujahidin forces to substantially extend after they have taken their own forces out of Afghanistan?

Mr. PECK. I wouldn't be terribly concerned about this threat. The nature of the government forces are such that they are organized in units in a conventional way. When those conventional forces are defeated, the PDPA elements will really not have anything to fall back on. They have primarily been, in any event, an urban political phenomenon, and their base in the countryside has been extremely weak. So, their ability to perhaps retreat to the mountains or remote areas and to do what the resistance has done to them seems to me is very weak to nonexistent.

Mr. LEACH. Well, finally, let me just ask you. There have been reports that a number of Afghan children have been sent to the Soviet Union to schools, et cetera, and that there might be hostage implications to this. Have there been discussions about returning these kids to Afghanistan?

Mr. PECK. Yes.

Mr. LEACH. Has the United States taken part in that?

Mr. PECK. Yes; there have been some very preliminary discussions, and we have not received satisfactory responses. The U.N., of course, is now just getting organized, and with the appointment of Prince Sadruddin Aga Khan, it seems to us that this is a matter which he could, at least in the first instance, take up.

The facts here are not well known, Mr. Leach. And I have looked into it since our last conversation on the subject. The data that is verifiable, firm data is simply not available and frankly may not become available until Kabul is free and families can come forward with firm information on children who have been taken away.

The one area where we have some clear knowledge is that orphans in many cases have been placed in Soviet institutions, but beyond that, we know that there has been a good deal of movement back and forth, particularly for short-term training in summer camp, that sort of thing. But this is a matter which obviously must be pursued and we will ensure that it is pursued as the situation evolves.

Mr. LEACH. Well, let me just conclude by saying I think there is a troubling aspect of the legal niceties of this agreement that has to be true in the Executive Branch as well as the Legislative. But

the result is so overwhelmingly significant—I mean, one of the great turning points in the century—that one is left with a real problem of whether to quibble or not. The Reagan Administration, frankly, I think in concert with, the Congress, can be as pleased about this foreign policy circumstance as any I know of. It is nice to be in the luxurious position of looking for the quibbles rather than being concerned about the broad policy.

Thank you.

Mr. PECK. Well, let us provide a paper from our legal people and then pursue this dialogue further.

Mr. LEACH. I think that would be important. We have a profoundly important international event, a significant agreement and one that has precedent-setting implications. And so, I think anything that can be provided would be appropriate for the public record.

Mr. SOLARZ. I'm going to recognize the gentleman from Massachusetts, but he has agreed to yield to a question from me because my mind is still swimming around in these remarkable legal theories you've advanced, Mr. Peck.

Are you saying that it is our interpretation of the agreement that if the Soviets provide arms to the Kabul regime such action would not constitute a violation of their commitment not to interfere in the internal affairs of Afghanistan?

Mr. PECK. That's correct, yes.

Mr. SOLARZ. Then can you tell us what would constitute an intervention by the Soviet Union in the internal affairs of Afghanistan?

Mr. PECK. Well, certainly the presence of combat troops or military advisors would be a clear violation.

Mr. SOLARZ. After the deadline for withdrawal?

Mr. PECK. Well, if Soviets troops were now to engage in offensive military operations in Afghanistan, we would consider that to be a violation of their commitment not to intervene. The commitments kick in on the 15th of May and the Soviet Union is required not to intervene in Afghan internal affairs from that date. So, offensive operations by the Soviet army at this point in time would in our view be a violation. Obviously any army retains the right of self-defense, and if they are attacked, they have the right to defend themselves. But offensive operations in our view would be a violation.

Mr. SOLARZ. Of the internal affairs of Afghanistan?

Mr. PECK. The intervention in the internal affairs of Afghanistan, yes.

Mr. SOLARZ. Mr. Atkins.

Mr. ATKINS. Thank you.

Mr. Peck, just for clarification, I would like to give you my sense of what has happened and hear your response. As I understand it, the Geneva Accords really at best provide a particular time frame for Soviet troop withdrawals. That's essentially the only protection they provide. And there are those who would argue that they were going to do the troop withdrawals with or without the accords and that the troop withdrawals would have been front-loaded because of the military problems of leaving just small numbers of people behind.

I'm curious because it seems as though our policy is entirely driven by the end result of just getting Soviet troops out, and that that is the end of our policy rather than the beginning of the policy. Consequently, there is a high, high likelihood that both the United States and the Soviet Union will continue to pour arms into Afghanistan which will have a long and bloody period of civil war following the Soviet troop withdrawals.

Mr. PECK. Well, Mr. Atkins, I would take issue with a couple points.

Mr. ATKINS. I assume that you would, notwithstanding the great buildup that you got from the Chairman earlier.

Mr. PECK. Certainly our strategic aim from the beginning has been to get Soviet troops out. That has implications for the region. It has implications for East-West relations—

Mr. ATKINS. I think we would all agree that is a *sine qua non* of our policy and should be.

Mr. PECK. But we have articulated other goals as well, and they are articulated as well in the annual General Assembly resolutions which we supported. Those call for the return of the refugees in safety and honor. It calls for self-determination for the Afghan people. The refugees cannot return in safety and honor and reestablish themselves in Afghanistan with a regime in Kabul which is rejected by the vast majority of Afghans and which the Afghan people will continue to struggle against. And in our view self-determination will not have taken place until that regime has been brought down and the Afghan people have had an opportunity to choose another more representative regime.

Mr. ATKINS. If I might interrupt for just a moment, assuming the Kabul regime is brought down—and I think that that is an assumption that most analysts seem to share—what is to prevent there from being a continuing series of civil wars.

Mr. PECK. Once the foreign intervention which has kept this government in place all these years—once that foreign element has been withdrawn, then the contending Afghan factions will contend in a very Afghan way. And that is not something which should greatly trouble the international community, so that the international aspects of the Afghan problem will disappear.

Now, speaking strictly analytically, I very much doubt that there will be a civil war or a chaotic situation that will keep Afghanistan in turmoil for years to come. And we could discuss this if you like, but my expectation is that the Afghans will find a way fairly quickly after Soviet troops have left the country to resolve their differences and choose a leadership and begin the process of reknitting the country together.

Now, that process may take some time because politically the country is fragmented. There are dozens of major commanders throughout the countryside who over the past 10 years have become used to running their own affairs, delivering services to their people. And they won't easily give up power, and so there will be a process of negotiation between whomever is selected to head up the central government and those regional commanders as the government gradually extends itself throughout the country. But that is a process that we've seen in Afghan history in the past. There are cultural mechanisms which make those sorts of things



work in Afghanistan, and without continuing external interference, my expectation is that it will occur without a great deal of additional bloodshed.

Mr. ATKINS. But you don't feel that process of sorting out power is going to involve civil wars and bloodshed?

Mr. PECK. Well, one of the legacies of the last 10 years is that Afghanistan is one large armed camp. There are far too many weapons in the hands of Afghans, and so if there is additional fighting, there will be unnecessary bloodshed. From my knowledge of the resistance, my expectation is that there will not be a kind of a civil war situation, but that we will have a fairly stable situation in the countryside in which you have all these fragmented groups that each check the other. The only way to achieve a national leadership that is able to extend its power into the countryside is through negotiation, through what the Afghans call a *loya jirga*, a grand national council, within which the major regional figures will have the primary say. They will select a leadership which meets their collective needs, and the process of putting the country back together again will begin.

Mr. ATKINS. But it would appear with our interpretation of the text of the accords, which appears to contradict directly the text of the accords, that we have done nothing to restrict and, in fact, have encouraged the provision of large numbers of both Soviet and U.S. arms into Afghanistan following the Soviet troop withdrawal. And I'm wondering why we are not talking about making any efforts on both sides to try to not only restrict the number of arms going in but, indeed, to do some things to encourage the removal of some of the arms that are already in the countryside.

Mr. PECK. Well, Mr. Atkins, let's be very clear about what we tried to achieve, what our preference was, which was that there should be a suspension of both U.S. and Soviet arms supplied to Afghanistan for a given period of time, specifically proposed during the Washington ministerial in February. That suspension would last for a period of withdrawal nine months plus three months. That proposal was rejected, but it remains on the table. We are prepared for that kind of an arrangement if the Soviets will pick it up. So, that's our preference. The offer is there. It's up to the Soviets whether it is going to be implemented, but we're not going to implement it unilaterally. One of the basic premises of U.S. policy has been that the Afghan resistance will not be unilaterally put at a disadvantage by the United States Government—

Mr. ATKINS. I don't think anybody would suggest that it should be.

Mr. PECK. That no agreement which we sign would put the resistance at a disadvantage. So, if there is to be a suspension, if there is to be restraint, then it must be reciprocal. And that depends at this point in time on the Soviets.

Mr. ATKINS. Well, at this point, with the accords now accepted, what efforts are we taking to try and pull that nine-month arms moratorium off the table?

Mr. PECK. Well, the Soviets are very much aware that it is there, that they can pick it up. We're not, as I have said in my statement, going to simply take their word at face value. We're going to watch

their behavior on the ground. We're going to draw the appropriate policy conclusions.

Mr. ATKINS. I have to share with you my fear that we're going to see a continuing inferno in Afghanistan and eventually over a period of time, that instability is going to lead to some kind of Soviet presence which is going to be unacceptable to the United States.

Let me raise, if I can, one other issue, and that is the question of military versus civilian advisors which Chairman Solarz alluded to earlier. As I understood what you said, we have no objections to civilian advisors, but we do to military advisors. And I'm just concerned as to how we draw the distinction between civilian and military advisors. It seems to me a distinction is very difficult to draw.

Mr. PECK. Well, the six years of negotiations in our view was all aimed at ridding Afghanistan of an intrusive, dominating Soviet military presence. The solution to the problem, or at least the beginning of the solution of the problem, is to get that military presence out of Afghanistan. We consider that advisors, security and military advisors, are part of that presence and that they must be removed in order to begin the process of solving Afghanistan's problems.

Mr. ATKINS. I certainly would agree with that. The question is how you draw that distinction between civilian and military.

Mr. PECK. Which is which? Well, an advisor with WAD, the internal security organization, is a military or security advisor in our view. An advisor with the Ministry of Defense or with one of the corps headquarters is a military advisor. An advisor with one of the civilian ministries is a civilian advisor. I think it is just that simple.

Mr. ATKINS. Do you believe from your experience watching the Soviet Union operate in other places in the world that they are going to be constrained by which ministry they attach a Soviet national to?

Mr. PECK. I think they are going to be primarily constrained by the Afghans themselves. The vehicle for Soviet advisory presence is a friendly government in Kabul. I don't think that the present friendly government is going to last very long. It seems to me that that problem of an excessive number of Soviet civilian advisors in Afghanistan is one which is only a very temporary one.

Mr. ATKINS. Thank you.

Mr. SOLARZ. Mr. Torricelli?

Mr. TORRICELLI. Thank you, Mr. Chairman.

Mr. Peck, if you could reconcile for me please your belief that we are not headed for a continuing internal struggle in Afghanistan that could cover the span of years with what would appear to be some initial evidence that the Soviets, while they are withdrawing troops, are strengthening their political and perhaps military presence in the northern provinces. I've even seen discussion that if things deteriorate, the government in Kabul could be moved to the northern provinces. At the same time a provisional government potentially could be declared in a southern province. In other words, what we could be seeing is not a Soviet withdrawal with a coming together of Afghan forces, but a disintegration of the country into Soviet, Pakistani, and potentially Iranian zones. Is this a contin-

gency that you consider should be something of concern and of any probability?

Mr. PECK. Well, certainly it is a contingency which is of concern and which needs to be monitored and watched very carefully. There have been some strange goings-on in regard to the north of Afghanistan in terms of a creation of a special northern district, the appointment of a deputy prime minister for the north when there aren't similar positions for any of the other regions of the country.

Mr. TORRICELLI. Well, am I reading those signals right that this could be the direction of Soviet policy?

Mr. PECK. Well, I don't think so, and let me say why. I'm not saying that it isn't a situation that we've got to watch very carefully.

These efforts appear to be part of a broader kind of a rolling reorganization which we've seen in the Afghan government for many years. They have tried a similar program of organizing regional administrative structures back in the period in 1981 and 1983. It didn't work very well then. The basic problem is that they don't trust their governors. The governors have not performed well. The provinces don't run well as administrative units in part because the regime's presence in the provinces in many cases is so minimal. And so, they have sought to create larger districts where they would put in stronger figures, in some cases military officers, who would bring some greater administrative coherence.

It seems to me that we have reports that that was precisely what they had in mind with the administrative reorganization of the north. Why did they start in the north? Because that was the one area of the country where they had sufficient presence that there was some expectation that the reorganization would take hold. In fact, there is no evidence at all that it has taken hold. We don't know where the deputy prime minister from the north is. We've seen no elaboration of a machinery of government in the north. As far as we can tell, it is strictly on paper at this point in time.

Let me make a broader comment though on that risk. I think it would be the height of folly for the Soviets to either promote or to acquiesce in a creation of an Afghan Communist redoubt in the north. Presumably they are withdrawing their troops because they see some advantage to withdrawing their troops. They wish to pursue another agenda at home and abroad. They want to be rid of the Afghan problem. If they were to acquiesce or promote a rump Communist state in the north, they would not only not be rid of the Afghan problem, but they would have a worse problem than they have faced for the last 10 years.

Mr. TORRICELLI. Their intentions, however, could be different. We were all startled by the willingness of the Soviets to pull back to their own borders and how they handled the internal political problem with the Soviet military of a complete withdrawal. Could it not be possible that, indeed, we have overstated what has been said and that Soviet intentions are to try to create a permanent military stalemate by allowing each of these zones to develop and thereby force a coalition government with the Communists being present in it in a significant way?

Mr. PECK. Well, that's a possible scenario. As I say, we must—

Mr. TORRICELLI. Changing the military realities in order to change the diplomatic situation.

Mr. PECK. Well, we have got to certainly be aware of that as a threat and be prepared to counter it. At the moment, however, there is no evidence that the Soviets, in any deliberate way, are phasing their withdrawal from, say, the north, treating the north differently from the south.

Mr. TORRICELLI. You do not see that evidence.

Mr. PECK. No. The evidence is that their preparations for withdrawal are countrywide and that there is no indication that they are seeking to maintain a military presence in the north.

Mr. TORRICELLI. Let me ask you further. If during the Soviet withdrawal the Soviets, by leaving materials behind or a rapid buildup of supplies, are able during the course of the next six months to announce that they are suspending further military assistance, being able to do so because of the pre-positioning of vast quantities of supplies, what kind of position is this government going to feel that it is in and what is it going to feel that it is incumbent upon it to do?

Mr. PECK. We will look very closely at the Soviet action on the ground. We won't trust their statements. We'll make an assessment of the factual situation as best we can determine it, and we will certainly discuss the matter carefully with others. And there will be a decision which will be made at the highest levels of this government.

Mr. TORRICELLI. Fine. Mr. Chairman, that's all my questions. Thank you.

Mr. SOLARZ. Thank you very much.

The subcommittee is pleased to have with us today a visiting member from the full Foreign Affairs Committee who obviously has a very real interest in the questions. Mr. Burton?

Mr. BURTON. Thank you, Mr. Chairman.

You were just talking about the stockpiling of weapons. I have information that the Soviets have already given the Afghan Communists enough weapons to supply 10 divisions at their current level for 10 years, and they are stockpiled in the country. Do you have that information?

Mr. PECK. It has not been presented to me in that same way, sir.

Mr. BURTON. Well, it seems to me that it's an academic question whether or not they are going to be getting resupplied because if they have that kind of a stockpile, they really don't need it for a while.

Mr. PECK. Certainly the Soviets have oversupplied the Kabul regime. That's our judgment, that they have far more supplies than they can possibly use. The problem really is their ability to use supplies, not the availability of supplies.

Mr. BURTON. You talk of six years of negotiations with the Soviets. Last November President Reagan had the president of the Mujahedin in Washington and met with him. At that time President Reagan made a commitment to him that they would sign no agreement with which the Mujahedin leadership did not agree. The Mujahedin leadership came out four-square against the agreement that Secretary of State Shultz signed. Can you explain to me why there is an inconsistency there? The President less than six months

ago agreed not to sign any agreement that the Mujahedin didn't want signed, and yet Secretary Shultz went ahead and signed one that they all opposed?

Mr. PECK. I would have to review exactly what the President said, sir.

The basic premise that we have been operating under has been that any agreement must meet with the general agreement of the Afghan people. This specific agreement for a variety of reasons—one particular one, if I could give you a fairly extended response, failed to gain the specific agreement of the leadership in Peshawar. I think the principal reason why that was the case was because they were excluded from the negotiations. This was unfortunate.

Mr. BURTON. Well, that's not the information we have received.

In addition to that, I don't know how you ascertain what the opinion is of the Afghan people. I mean, the Mujahedin speaks for the people. They are the leadership.

Mr. PECK. We have gone to some lengths in the period leading up to the signature and subsequently to reassure the leadership of the resistance that there is nothing in this agreement which will put them at a disadvantage. We have sought to reassure them that the key provision, the withdrawal of Soviet troops, will indeed facilitate the achievement of their objectives.

Mr. BURTON. Well, let's follow up.

Mr. PECK. And finally, we have reassured them that U.S. support for their cause will continue.

Mr. BURTON. Well, let—

Mr. PECK. My understanding, sir, if I could just finish please, is that in fact they have been reassured by what they have learned from us. They have been reassured by what has happened in the interim since the signature—that is, the two-month period in between then and now—and that by and large this agreement is seen by many in the leadership as serving their interests in a very real and direct way.

Mr. BURTON. Well, that's not the information I get from them. Maybe you are talking to different people from over there than we are, but that's not the information I get from them.

Pakistan, according to the agreement—

Mr. SOLARZ. Will the gentleman yield?

Mr. BURTON. Yes.

Mr. SOLARZ. I think that is very interesting. Are you in a position either now or for the record to share with us the information you have?

Mr. BURTON. Sure. I'll be glad to give you whatever information that we have after the hearing.

Mr. SOLARZ. Just while we are here now, what exactly have you been told or led to believe?

Mr. BURTON. I have talked to some people from that part of the world who are very upset about the agreement. And I don't have their names here, but I will get you the information.

Mr. SOLARZ. These are not, I assume, Afghan Quatshas.

Mr. BURTON. All right. If you're going to go back to the—I will talk about that some other time, Mr. Chairman. No, it has nothing to do with Mr. Quatsha. That's an inside joke.

The agreements that were signed prohibit Pakistan from involving themselves in the internal affairs of Afghanistan. Now, how are you going to get supplies in to the Mujahidin? You have to go through Iran. You have to go through part of the Soviet Union, or you have to go through Pakistan, if my geography is correct. How are you going to get those supplies in there?

Mr. PECK. Mr. Burton, we have said that we are confident of our capacity to support the resistance, but that we are not going to talk about the details——

Mr. BURTON. All right, so you're not going to talk about the details.

But an agreement has been signed saying that Pakistan will not involve itself in the internal affairs of that country. Now, you are talking about—I presume, the only way you are going to get those supplies in is through some kind of covert action, which I know you're not going to talk about right now. But if it is brought to light that it's going in through Pakistan, which I think is the only route and I think you know it's the only route, then it is going to be evident that we and Pakistan are in violation of those agreements. Now, the Soviets don't have that kind of a problem. Their resupply efforts will be able to continue, as you mentioned earlier.

So, what is going to happen is the world opinion is going to be focused squarely upon the United States' and Pakistan's violations of those agreements, which means that we will end up having to cut off supplies of the Mujahedin if we are to be an honorable country. Now, what are you going to do if that happens?

Mr. PECK. We are going to make sure that resistance is not put at a disadvantage. I think the result of this agreement will be a very quick achievement of resistance objectives which are to wrap up the outlying garrisons and to march on Kabul. The test of this agreement, Mr. Burton, is going to be in its execution. And I think you, sir, will be very satisfied over the coming months with the manner in which this agreement works out.

Mr. BURTON. Well, I hope you are correct.

But Najibullah said just recently—I believe it was when he was meeting with his good buddy in India, Mr. Gandhi—that Soviet military advisors are not included in the Geneva accords and the Soviet pullout, and will remain in Afghanistan to help his army after the Soviet troops are withdrawn. Now, you say that is not the case. Why is there a misunderstanding with Mr. Najibullah?

Mr. PECK. We don't have any understandings whatsoever with Mr. Najibullah. That is his view. He is entitled to his view.

Mr. BURTON. Well, he must have received some assurances from the Soviet Union there were going to be advisors there, otherwise he wouldn't make that kind of a statement.

Mr. PECK. What I have said is that we would consider the presence of Soviet advisors after the completion of the withdrawal as a violation of the Geneva agreements. We would treat it as such.

Now, as a practical matter. I think the Soviets are going to be very cautious in their continued deployment of advisors in Afghanistan. I think they have a healthy appreciation of the fragility of the situation, and they are not going to have advisors in exposed positions where they are going to lose people.

Mr. BURTON. Let me just tell you. I went into Grenada two days after the invasion took place, and there weren't any military advisors there, no Cubans there. They were just engineers. And yet, beside every bunk there was a slot right above the bunk for an AK-47. And I don't know how you're going to determine whether or not they're advisors or engineers or Soviet peace corps volunteers or whatever you call them. But they're going to have advisors there. They're going to have advisors there just like they did in Grenada and every other Communist country where they have moved.

Mr. PECK. Mr. Burton, could I make a comment on that?

Mr. BURTON. Sure.

Mr. PECK. The Soviets have had between 115,000 and 120,000 combat troops in Afghanistan for the last eight years. With that massive military presence, they have not been able to subdue the country. This regime with that presence has controlled perhaps 20 percent of the country. Are you suggesting that the retention of a few hundred Soviet military advisors will allow them to continue to dominate Afghanistan?

Mr. BURTON. They have not dominated Afghanistan.

I think the gentleman who talked earlier today talked about strife within the Mujahidin. It's a very real concern down the road. And let me give you the scenario.

In Central America right now, because of lack of supplies, there is real dissention within the contra military. They are trying to throw out a bunch of their leaders. They are falling apart, and that is as a direct result of lack of military and humanitarian and food supplies. Now, if we get caught in a trick bag where we are not able to adequately supply the Mujahidin, I think that kind of dissension could erupt there. There is a lot of factionalism in that country, as you well know. And I think you could end up with the very thing that the gentleman talked about, and that is there would be some civil strife in that country not directed at the Soviet Union. They have focused all their attention on getting the Soviets out. Now, that has been somewhat dissipated, and if they have a supply problem, a logistical problem, I think you are liable to see exactly what he talked about.

Now, if you have Soviet advisors there propping up the Kabul regime and keeping them in power, I think you very well might see a Soviet presence there for many, many, many years to come.

Now, had we not signed this agreement in opposition to the leadership of the Mujahedin, they would have kicked their butts all the way to the border, and I think everybody knows it. And that is why the Soviets wanted to get out of there. And so, what we have helped the Mujahedin do is settle for about half a loaf or less when they could have had the whole ball of wax because they were kicking their fanny. The Soviets were looking for a way out. And so our State Department with an appeasement policy has embraced them and they are helping them get out with a lot of flaws. This thing is like a sieve. It's like a sieve in my opinion.

I want to talk about one more thing. You talk about these children as though they are some kind of an afterthought. There are over 10,000 children that have been kidnapped, if you will, and taken to the Soviet Union and are being educated in Marxist-Leninist dogma, and they are going to bring these kids back to that

country at some point in the future. That is what they plan to do with them like they do in every Communist country or every country they want to take over.

Now, I want to ask you a question. Why wasn't that an integral part of the agreement up front? Why are you talking about it now after the agreement has been consummated?

Mr. PECK. Well, first of all, Mr. Burton, we are not confident that there are 10,000 children who have been kidnapped by the Soviet Union. There have been reports of some children who have been taken to the Soviet Union against their will. We have no confirmation of those reports. The only widespread practice that we are aware of that could fall under that general category is the sending of orphans to the Soviet Union to be placed in Soviet orphanages.

Mr. BURTON. Oh, a very humanitarian effort. They are taking poor little orphans and they are taking them to the Soviet Union so that they can make sure there is food provided for them. What about the millions of refugees that were literally starving over there and having to go into Pakistan to just survive and live in squalor? Don't give me that humanitarian baloney. They were taking those kids there to reeducate them and you know it.

Mr. PECK. Mr. Burton, I wasn't trying to defend the Soviet actions.

Mr. BURTON. Well, your terminology sounded like they were taking orphans to orphanages.

Mr. PECK. Mr. Burton, I did not use the word "humanitarian."

Mr. BURTON. Did you say orphanages?

Mr. PECK. I said orphanages, yes.

Mr. BURTON. And orphans?

Mr. PECK. I said orphans.

Mr. BURTON. Well, if that doesn't smack of humanitarianism, I don't know what it does.

Go ahead.

Mr. PECK. We are trying to establish facts, Mr. Burton. I think your allegation that 10,000 children have, against the will of their parents and themselves, been taken to the Soviet Union has not been proven. We need to establish the facts.

Mr. BURTON. How do you prove that? When you talk to a bunch of refugees and a bunch of people from Afghanistan, and they tell you their kids have been taken from them physically and have been taken to the Soviet Union for education, and the estimate is as high as 10,000 or higher, and you say there is no facts to back that up. Do you take a Gallup Poll to find out whether or not there are 10,000 people out there who are misleading us or what?

Mr. PECK. Well, we try to use all the intelligence available to us. We talk to as many people or more than you do, Mr. Burton, and we try to make a reasonable judgment.

Mr. BURTON. Let me just end up. I know that the Chairman has been very kind by allowing me this time.

I just want to state my, I suppose, disgust that this kind of an agreement would be signed. Those people have been fighting valiantly over there for a long, long time. Over a million of them have perished fighting for freedom. There is no substitute for victory, and they were well on their way to victory. And our State Department signed an agreement which I believe is full of holes which



has led to a semi-sellout of the Mujahedin. They all opposed it. They still oppose it. Now, you may indicate to this committee and to other committees of this body that there is now agreement that the Mujahedin is of one mind in support of those agreements. They are not. They oppose it. They still oppose it. They wanted victory. They wanted to kick the Soviets out and make sure they never came back, and we stopped them short of victory. We gave them half a loaf or less, and I think it is a tragedy. It is a tragedy that the State Department perpetrated it after the President of the United States gave his word that we would sign no agreement with which they did not agree. And I am very disappointed.

Thank you, Mr. Chairman.

Mr. SOLARZ. I thank the gentleman from Indiana.

If, in fact, it is a tragedy, then I think the President of the United States has to bear the responsibility for it since the State Department was acting not only with his knowledge, but with his instructions.

Mr. BURTON. I do not argue with that. I do not argue with that.

Mr. SOLARZ. But let me ask Mr. Peck for his response to some of the comments that my friend from Indiana made because, they are, if they are to be believed, quite serious.

Is it your view that the Mujahidin now support this agreement or accept it? Or do you agree with his view that they are virtually unanimous in their rejection and repudiation of the agreement?

Mr. PECK. The formal position, certainly the public position, of the spokesman of the alliance is that it was a bad agreement and it should not have been signed. We know, however, in private discussions that there is a large measure of understanding across the spectrum of resistance leadership, as well as among commanders, of the advantages of this agreement and the degree to which it positions them very favorably to achieve all their objectives, which includes toppling of the regime.

Mr. SOLARZ. Are you saying, in effect, they have one position in public and a different position in private?

Mr. PECK. I'm suggesting that for I think quite obvious and understandable reasons, the resistance leadership in Peshawar, having been excluded from the negotiations, has opposed these accords. They have gone on to say that they are going to continue the jihad until they achieve all their objectives. That is exactly what they ought to do.

Mr. SOLARZ. Is there anything in the agreement which precludes them from continuing their efforts?

Mr. PECK. There is nothing.

Mr. SOLARZ. What is your view of the attitude of the refugees? Do we have any indication how they feel about the agreement as distinguished from the leaders of the alliance?

Mr. PECK. Well, I'm not aware of any polling data on refugees. We have talked to a wide range of Afghan leaders, and I think among many of the people we have talked to, both inside and outside the country, there is a general sense of relief with the beginning of the withdrawal of Soviet troops.

Mr. SOLARZ. Do we have any indication that the allegations put forward by the gentleman from Indiana concerning the kidnapping of 10,000 children has taken place? Is there any indication, any evi-

dence whatsoever that we have, which indicates that children have been taken from their families against the will and wishes of the families and sent to the Soviet Union? Or is it your view these are utterly unsubstantiated rumors?

Mr. PECK. No. There have been persistent reports of this, reports that have been published by Helsinki Watch. And so, these are not allegations which can be dismissed lightly or dismissed at all. They need to be investigated properly.

I was taking issue with the suggestion that there were 10,000 children who have been taken to the Soviet Union against their will. That strikes me as being an unsubstantiated allegation and probably greatly exaggerated.

Mr. SOLARZ. Do we believe at least some have been taken?

Mr. PECK. There are certainly many reports by Afghans that children have been taken against their will.

Mr. SOLARZ. Have we raised this with the Soviets?

Mr. PECK. We have, yes.

Mr. SOLARZ. And what have they said?

Mr. PECK. They have rejected the implication and replied that Afghan children studying in the Soviet Union are there of their own free will for educational purposes.

Mr. SOLARZ. And with the consent of their parents?

Mr. PECK. Absolutely, yes.

Mr. SOLARZ. Could you tell us briefly, what our view was of the trip by Mr. Najibullah to India and what transpired in Delhi. Do we think that was helpful or not?

Mr. PECK. Well, it strikes us I think as a rather curious episode. We don't consider that Mr. Najibullah is a legitimate representative or that this government in any way is legitimate. We ourselves and I think most—certainly the vast majority of governments have not had contact with him certainly at that level. So, it seemed to us to be unfortunate as a development coming particularly in the wake of the Geneva agreement. So, it is not something which we welcomed, but quite obviously it is up to India to decide on its own how it will pursue its interests.

Mr. SOLARZ. Do we think India played a constructive role in any way in encouraging the Soviets to withdraw from Afghanistan?

Mr. PECK. Well, the Indians have said they have been active diplomatically and politically urging the Soviets to withdraw over the years. We are not able to make an independent judgment of that.

Mr. SOLARZ. Are you saying we don't know if they actually did, but that they say they did?

Mr. PECK. Yes.

Mr. SOLARZ. And if they did play a constructive role we would, of course, welcome that.

Mr. PECK. Absolutely.

Mr. SOLARZ. Is there any reason to believe India didn't do what it said it did?

Mr. PECK. There is no reason not to take Indian statements at face value.

Mr. SOLARZ. Presumably it is in their objective interest to have the Soviets withdraw to their own territory?

Mr. PECK. Yes. And our private discussions with the Indians certainly convinced us that the Indians have considered that the Soviet presence in Afghanistan was contrary to their interests.

Mr. SOLARZ. Would we be opposed to the establishment of an Iranian-style fundamentalist regime in Kabul?

Mr. PECK. Well, we certainly would not be in favor of it. That would be an unfortunate development.

Mr. SOLARZ. Do we think there is a real possibility that could happen in the wake of the collapse of the Kabul regime?

Mr. PECK. Whatever government emerges in post-Soviet Afghanistan is certainly going to be profoundly Islamic in character. Islam has been a major rallying point for all of those who have resisted the Kabul regime. So, a successor government is going to be imbued with an Islamic spirit and institutions will be shaped, I should think, in large measure by Islam. That is not something which the United States has any quarrel with whatsoever.

There are aspects of extremism in Iranian practice which I think would be very unfortunate and very surprising if they emerged in Afghanistan given their cultural traditions.

Mr. SOLARZ. Mr. Secretary, I do have to get to the floor for a vote. We will submit some additional questions which hopefully you can answer for the record. And I want to thank you very much for coming. And let us all hope the Soviets do, indeed, withdraw their forces.

The hearing is adjourned.

[Whereupon, at 11:50 a.m., the subcommittee was adjourned.]

# APPENDIX 1

State Department response to question regarding the extent of U.N. development assistance to Afghanistan going through Kabul.

UNDP: See attached list of ongoing projects, all begun in 1986 or earlier. Total approved expenditure for 1988 = \$5,442,069. Nearly all UNDP-funded technical assistance projects are implemented by other UN agencies under contract.

UNICEF: Just beginning a 3-year childhood immunization program for all Afghan provinces, regardless of political control. Plans are to operate it from a UNICEF office in Kabul. This program will probably be subsumed soon into the UN's refugee resettlement efforts. Total approved expenditure for 1988-90 = \$1,800,000.

WHO: Expenditures from the regular budget of \$2,562,850 per year since 1986 for Afghanistan. Funds used for immunizations, maternal and child health, disease control, and development of primary health care structure.

UNFPA: Funding a \$50,000 project since 1986 for training in epidemiology and treatment of drug dependence, administered by WHO.

UNHCR/WFP: No programs through Kabul at present. UNHCR has signed an agreement with the regime which permits assistance to "follow the refugee" directly across the border.

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**AFGHANISTAN**  
 **ongoing UNDP Projects**

| Project No. | Title                             | Agency  | 1981-86<br>Expendi-<br>tures | 1987<br>Approved/<br>Projected | 1988<br>Approved/<br>Projected |
|-------------|-----------------------------------|---------|------------------------------|--------------------------------|--------------------------------|
| AFU 74 107  | Agriculture Development Bank      | IBRD    | 5,214                        |                                |                                |
| AFU 74 108  | Veterinarian Faculty              | FAC     | 3,893,984                    | 181,000/180,000                | 177,769/                       |
| AFU 74 109  | Agricultural Mechanism            | FAC     | 122,159                      |                                |                                |
| AFU 74 110  | Civil Aviation                    | ICAI    | 238,806                      |                                |                                |
| AFU 74 111  | Rural Development                 | UNDTG   | 703,901                      |                                |                                |
| AFU 74 112  | Animal Health Phase II            | FAC     | 233,961                      |                                |                                |
| AFU 74 113  | Planning, Capitalist              | UNDTG   | 644,102                      |                                |                                |
| AFU 74 114  | Industrial Bank                   | IBRD    | 17901                        |                                |                                |
| AFU 74 115  | Trade Promotion                   | ITC     | 1,037,535                    |                                |                                |
| AFU 74 116  | Inter- and Inland                 | FAC     | 5,190                        |                                |                                |
| AFU 74 117  | Program Support                   | UNEP    | 400,169                      | 31,745/30,591                  |                                |
| AFU 74 118  | Teacher Training                  | MHC     | 310,471                      |                                |                                |
| AFU 74 119  | Teacher Training                  | UNESCO  | 501,154                      |                                |                                |
| AFU 74 120  | Agricultural Cooperative          | FAC     | 113,924                      |                                |                                |
| AFU 74 121  | Plant Protection Service          | FAC     | 3,371,471                    | 135,000/60,280                 | 779,000                        |
| AFU 74 122  | Social Security                   | UNDTG   | 1,292                        |                                |                                |
| AFU 74 123  | Management Institute              | ICG     | 314,176                      |                                |                                |
| AFU 74 124  | Business Education                | FAC     | 29,458                       |                                |                                |
| AFU 74 125  | Water Conservation                | UNESCO  | 843,493                      | 7,600/6,081                    |                                |
| AFU 74 126  | Science Education                 | UNESCO  | 518,800                      | 54,149/60,187                  |                                |
| AFU 74 127  | Education Planning                | UNESCO  | 334,366                      |                                |                                |
| AFU 74 128  | Forestry & Watershed              | FAC     | 25,848                       |                                |                                |
| AFU 81 101  | English Language Training         | UNESCO  | 521,239                      | 224,392/240,812                |                                |
| AFU 81 102  | Civil Aviation Development        | ICAI    | 2,230,495                    | 70,400/75,400                  | 22,800/22,800                  |
| AFU 81 103  | Aquatic Cooperative Training      | FAC     | 844,821                      |                                |                                |
| AFU 81 104  | For Agriculture Service           | MHC     | 47,190                       |                                |                                |
| AFU 81 105  | Veterinarian Services             | FAC     | 2,849,905                    | 206,932/60,000                 | 100,000/50,000                 |
| AFU 81 106  | Forestry Department               | FAC     | 731,153                      | 25,800/25,800                  |                                |
| AFU 81 107  | Seed Production & Training        | FAC     | 1,043,572                    | 485,562/485,562                |                                |
| AFU 81 108  | Water, Water Supply               | MHC     | 1,097,088                    | 110,697/10,203                 |                                |
| AFU 81 109  | Water Secretariat                 | MHC     | 107,441                      |                                |                                |
| AFU 81 110  | Agrochemical Training             | FAC     | 491,896                      | 174,000/174,000                |                                |
| AFU 81 111  | Research Plant & Maintenance      | ITC     | 1,104,161                    | 495,321/425,000                |                                |
| AFU 81 112  | Social Security                   | UNDTG   | 530,109                      | 690,333/685,333                | 525,687/730,687                |
| AFU 81 113  | Teacher Education                 | UNESCO  | 671,021                      | 4,200/3,119                    |                                |
| AFU 81 114  | Rural Development                 | UNDTG   | 1,134,753                    | 55,632/64,000                  |                                |
| AFU 81 115  | Training Institute                | UNDTG   | 631,896                      | 54,000/66,000                  | 14,000/14,000                  |
| AFU 81 116  | Agricultural Mechanism            | FAC     | 151,927                      | 12,030/12,030                  |                                |
| AFU 81 117  | Rural Development Study           | FAC     | 48,784                       |                                |                                |
| AFU 81 118  | Trade Development                 | ITC     | 831,847                      | 187,596/170,000                |                                |
| AFU 81 119  | Water & Development               | UNEP    | 56,044                       | 47,270/46,270                  | 97,688/97,688                  |
| AFU 81 120  | Logistics Support                 | UNEP    | 136,343                      | 204,937/204,000                | 36,400/36,400                  |
| AFU 81 121  | Materials Proc. for Prog. Support | UNEP    | 91,618                       | 230,973/199,573                | 10,300/81,300                  |
| AFU 81 122  | Agriculture Development Bank      | FAC     |                              |                                | 281,111/281,111                |
| AFU 81 123  | Agriculture, Research             | FAC     |                              | 15,000/15,000                  |                                |
| AFU 81 124  | Forest Energy                     | UNDTG   | 50,371                       | 570,358/355,756                | 425,203/435,203                |
| AFU 81 125  | Agriculture Development           | FAC     |                              |                                | 216,670/216,670                |
| AFU 81 126  | Agricultural Training             | FAC     |                              | 25,000/25,000                  |                                |
| AFU 81 127  | Veterinarian Faculty              | FAC     |                              | 1,641,496/694,242              | 830,746/1,693,000              |
| AFU 81 128  | Medical Facilities                | UNESCO  |                              | 3,308/3,308                    |                                |
| AFU 81 129  | Waterways Management              | UNEP    |                              | 1,255,605/1,744                | 493,500/591,200                |
| AFU 81 130  | Drainage & Water Management       | FAC     |                              | 154,902/154,900                | 141,350/141,350                |
| AFU 81 131  | Agricultural Planning             | FAC     |                              | 83,875/83,875                  | 361,228/361,228                |
| AFU 81 132  | Multi-Sectoral Studies            | UNEP    | 168                          | 167,500/53,000                 | 371,332/421,032                |
| AFU 81 133  | Seed Production & Training        | FAC     |                              | 211,900/211,900                | 445,040/445,040                |
| AFU 81 134  | Forestry Department               | FAC     |                              | 325,300/325,300                | 474,300/474,300                |
| AFU 81 135  | Plant Protection Training         | FAC     |                              | 87,000/67,000                  | 60,000/60,000                  |
| AFU 81 136  | Agrochemical Training             | FAC     |                              | 6,000/                         | 64,945/72,945                  |
| AFU 81 137  | Forest Plantation                 | KABITAT |                              |                                | 125,000/125,000                |
| AFU 81 138  | Reforestation Project             | ITC     |                              |                                | 123,400/90,000                 |
| AFU 81 139  | Forest Planning                   | KABITAT |                              | 21,000/22,000                  |                                |
| AFU 81 140  | Water Secretariat                 | UNEP    |                              | 154,300/                       | 132,000/                       |

Total

21,591,998 6,247,703/4,995,834 5,442,069/7,045,014

## APPENDIX 2

State Department information regarding U.S. contributions to Afghan relief and private voluntary organization humanitarian efforts for Afghanistan

Please provide a detailed description of the \$119 million in aid now being provided to assist the Afghan people. Please describe the types of programs (i.e. education, training, food, medical, etc.) being funded and the international or private voluntary organizations through whom the assistance is given. How does that aid compare with that provided in FY 1987?

A: The attached chart, "U.S. Government Contributions to Afghan Relief", illustrates the distribution of U.S. humanitarian aid in FY 1986, 1987 and 1988.

The breakdown for item #4, "Refugee Programs in Pakistan", is as follows (figures are in millions of dollars):

|                  | <u>FY 87</u> | <u>FY 86</u> |
|------------------|--------------|--------------|
| UNHCR -          | \$21.6       | \$16         |
| WFP -            | \$37.5       | \$33         |
| ICRC -           | \$ 2.2       | -            |
| World Bank       | \$ 3.0       | -            |
| PVOs (see below) | \$ 3.6       | \$ 3         |
| TOTAL            | \$67.9       | \$52         |

WFP (World Food Program) figures indicate value of wheat donated. WFP is a UN program.

In FY 87 and FY 88, the funding for refugee programs given to private voluntary organizations (PVOs) was divided among the following groups and organizations:

|                                      | <u>FY 87</u> |
|--------------------------------------|--------------|
| --Mecsy Fund                         | \$205,000    |
| --Catholic Relief Services           | \$ 78,000    |
| --Church World Services              | \$589,000    |
| --Experiment in International Living | \$269,000    |
| --International Rescue Committee     | \$927,000    |
| --Save the Children                  | \$129,000    |
| --League of Red Cross/Red Crescent   | \$700,000    |
| --The Salvation Army                 | \$670,000    |

(Final figures for PVOs in FY 1988 are not yet available.)

The attachment, "PVO Co-Financing Project", provides a breakdown of the funding levels of private voluntary organizations involved in humanitarian assistance for Afghans as of the end of February, 1988. Final figures for FY 1988 are not yet available, so the grants are shown here at their FY 87 levels. Please note that these funding levels are separate from the refugee figures given above.

Estimated Annual Out-Of-Country Expenditures  
for Fiscal Years 1986-87  
in Millions of Dollars

|  | <u>FY 1986*</u>     | <u>FY 1987</u>      | <u>FY 1988</u>      |
|--|---------------------|---------------------|---------------------|
| 1. <u>Emergency Relief</u>                   |                     |                     |                     |
| <u>Emergency Relief</u>                      | <u>15.9</u>         | <u>29.9</u>         | <u>45.0</u>         |
| <u>Emergency Relief - Afghanistan</u>        | (3.5)               | (5.0)               | (6.5)               |
| <u>Emergency Relief - Cambodia</u>           | (1.1)               | (3.0)               | (5.9)               |
| <u>Emergency Relief - El Salvador</u>        | (0.6)               | (1.5)               | (3.5)               |
| <u>Emergency Relief - Guatemala</u>          | (3.8)               | (10.1)              | (15.2)              |
| <u>Emergency Relief - Honduras</u>           | (9.4)               | (9.1)               | (6.9)               |
| <u>Emergency Relief - Nicaragua</u>          |                     |                     | (5.0)               |
| <u>Emergency Relief - Other</u>              |                     |                     | (1.0)               |
| <u>Emergency Relief - Other</u>              |                     | (0.6)               |                     |
| <u>Emergency Relief - Other</u>              | (0.5)               | (0.6)               | (1.0)               |
| 2. <u>Humanitarian Assistance</u>            |                     |                     |                     |
| <u>Humanitarian Assistance</u>               | <u>3.9</u>          | <u>3.9</u>          | <u>12.0</u>         |
| <u>Humanitarian Assistance - Afghanistan</u> | (0.9)               | (3.0)               | (5.0)               |
| <u>Humanitarian Assistance - Cambodia</u>    | (n/a)               | (n/a)               | (3.0)               |
| <u>Humanitarian Assistance - Other</u>       |                     |                     | (4.0)               |
| 3. <u>Other Assistance</u>                   |                     |                     |                     |
| <u>Other Assistance</u>                      | <u>3.6</u>          | <u>9.5</u>          | <u>10.0</u>         |
| <u>Other Assistance - Afghanistan</u>        | (0.3)               | (2.0)               | (2.5)               |
| <u>Other Assistance - Cambodia</u>           |                     |                     |                     |
| <u>Other Assistance - El Salvador</u>        | (2.7)               | (7.5)               | (7.5)               |
| 4. <u>Other Assistance</u>                   |                     |                     |                     |
| <u>Other Assistance</u>                      | <u>49.55</u>        | <u>67.9</u>         | <u>52.0</u>         |
| <b>TOTAL:</b>                                | <b><u>50.35</u></b> | <b><u>110.3</u></b> | <b><u>119.0</u></b> |

\* Part of FY 1986 A.I.D. obligated a total of \$8 million to Afghan and Cambodian relief and the State Department obligated \$441 million to Afghan refugee relief.

PVO CO-FINANCING PROJECT

|                   |          |             |
|-------------------|----------|-------------|
| Section 451 Funds | FY 85/86 | \$8,000,000 |
| AID/REP Funds     | FY 86    | \$5,850,000 |
|                   | FY 87    | \$9,034,000 |

**PURPOSE:** To assist American and European private voluntary organizations (PVOs) to deliver health, education and agriculture services, and to provide survival ("cash-for-food") grants to Afghans in selected areas to make it possible for them to remain in-country. (Note: A new FY 1988 Project, Rural Assistance, will take over and build upon the agriculture and survival grant activities.

**BACKGROUND:** Many European PVOs have been active in assisting the Afghan resistance over the past seven years. USG humanitarian assistance began in 1985 with the provision from Washington of \$8 million in Section 451 grants to a number of PVOs to enable them to expand their activities in Afghanistan. Two new American PVOs were helped to begin medic training programs. Two American PVOs, Americares and the International Rescue Committee, act as intermediaries for a number of the European organizations.

The O/AID/REP program began in the fall of 1986. The PVO Co-Financing project has enabled us to continue support to the Section 451 grantees, and to support a few new PVO activities complementary to them and to the new Alliance-centered projects.

BRIEF DESCRIPTIONS OF THE MAJOR PVO ACTIVITIES

|   |                  |             |
|---|------------------|-------------|
| <b>PVO:</b> International Medical Corps (IMC) | Funds thru FY 86 | \$1,645,360 |
| <b>HOME OFFICE:</b> Los Angeles, Ca.          | FY 87            | \$1,512,000 |
| <b>TYPE:</b> Medic Training and Field Clinics |                  |             |

Since 1985, the International Medical Corps has received grants to train Afghan medics at a medical and surgical training center in Nasir Bagh, Peshawar, and to establish supply and maintain hospitals, clinics and mobile units inside Afghanistan. To date IMC has graduated 80 medics and has established 42 health facilities inside Afghanistan. It is estimated that each of the facilities treat approximately 1,300 patients per month.

|   |                  |             |
|---|------------------|-------------|
| <b>PVO:</b> Mercy Corps, International (MCI)  | Funds thru FY 86 | \$ 600,000  |
| <b>HOME OFFICE:</b> Portland, Oregon  | FY 87            | \$1,268,210 |
| <b>TYPE:</b> Medic and Basic Health Worker Training,<br>Teaching Hospital and Field Clinics |                  |             |

Mercy Corps International, based in Gwetta, received their first grant from AID/REP in 1986. While similar in purpose to IMC, MCI trains medics from, and establishes health facilities in, Southwest Afghanistan. To date MCI has graduated 60 medics and 45 basic health workers, and has established over 20 clinics and mobile health units in Afghanistan.



|  |            |       |             |
|--|------------|-------|-------------|
| <u>1.1.1</u> Freedom Medicine (F.M.)                                 | Funds thru | FY 86 | \$1,443,262 |
| <u>1.1.1.1</u> Office: Herat, Baluchistan                            |            | FY 87 | \$1,067,000 |
| <u>1.1.1.2</u> Medical Training and Supply of Medicine and Equipment |            |       |             |

Since 1985 Freedom Medicine has received grants to: train Afghan medics, establish a limited hospital and out-patient facility in Thal, NWFP, and supply medicine and equipment to program graduates working inside Afghanistan. To date Freedom Medicine has graduated 50 medics, completed construction of their training hospital in Thal, and provided over 10 metric tons of medical supplies and equipment to all their graduates in Afghanistan.

|  |            |       |           |
|--|------------|-------|-----------|
| <u>1.1.2</u> Medecins du Monde (MDM)                     | Funds thru | FY 86 | \$312,000 |
| <u>1.1.2.1</u> Office: Paris, France                     |            | FY 87 | \$365,000 |
| <u>1.1.2.2</u> Medical Missions and Vaccination Training |            |       |           |

Since 1985, AID/HEP has partially financed MDM to send French medical teams with supplies inside Afghanistan to deliver health care. Eight medical missions were carried out by French doctors and nurses in 1986. In 1987 MDM will send in seven more teams with medical equipment and establish a pilot vaccination and immunization training program.

|   |            |       |           |
|---|------------|-------|-----------|
| <u>1.1.3</u> German Afghanistan Committee (GAC)   | Funds thru | FY 86 | \$550,000 |
| <u>1.1.3.1</u> Office: Bonn, Germany              |            | FY 87 | \$611,000 |
| <u>1.1.3.2</u> Medical Missions and Field Clinics |            |       |           |
| <u>1.1.3.3</u> Medical Field Reference Manual     |            |       |           |

Since 1985, AID/HEP has partially financed the GAC to send European medical teams inside Afghanistan, and establish and sustain field clinics. Six medical missions were carried out by German and Swiss doctors in 1986 and another 6 missions will be fielded by end of CY 1987. GAC presently sustains 11 medical facilities inside Afghanistan. Based upon present records, each of the GAC medical facilities treat a monthly average of 1,050 patients. A second grant to the GAC is financing the preparation of field manuals for Afghan medics in both Dari and Pushto versions.

|   |            |       |           |
|---|------------|-------|-----------|
| <u>1.1.4</u> Medical Training for Afghans (MTA)       | Funds thru | FY 86 | \$251,000 |
| <u>1.1.4.1</u> Office: Brussels, Belgium              |            | FY 87 | \$165,000 |
| <u>1.1.4.2</u> Medical Training and Teaching Hospital |            |       |           |

Since 1985, Medical Training for Afghans (MTA) has received partial funding from AID/HEP to train Afghan medics and sustain a 20-bed teaching hospital in Peshawar. MTA's training (16 months) is the longest of all our FVO training programs. The second class of 15 will graduate in March 1988 and will manage clinics in Afghanistan for the Alliance Health Committee.

|  |            |       |           |
|--|------------|-------|-----------|
| <u>PVO:</u> Medical Refresher Course for Afghans                     | Funds thru | FY 86 | \$174,000 |
| (MRCA)   |            | FY 87 | \$ 50,000 |
| <u>HOME OFFICE:</u> Paris, France                                    |            |       |           |
| <u>TYPE:</u> Refresher Training Courses for Afghan Nurses and Medics |            |       |           |

Since 1985, the Medical Refresher Course for Afghans has received partial funding from AID/REP to support a 20-bed teaching surgical hospital in Peshawar. MRCA accepts afghan medical graduates and through intensive clinical practice upgrades their medical and administrative skills. All the graduates of MRCA (now totalling 16) have returned to Afghanistan to administer and practice in field hospitals.

|   |            |       |           |
|---|------------|-------|-----------|
| <u>PVO:</u> Swedish Committee for Afghanistan | Funds thru | FY 86 | \$475,000 |
|   |            | FY 87 | \$200,000 |
| <u>HOME OFFICE:</u> Stockholm, Sweden         |            |       |           |
| <u>TYPE:</u> Primary Education                |            |       |           |

Since 1985, AID/REP has partially financed the Afghanistan Education Committee (AEC), an organization established by the Swedish Committee for Afghanistan. The AEC's general program supports nearly 200 schools for grades 1-4 in Afghanistan, serving over 22,000 students. Teachers' salaries, text-books (in Dari and Pushto), and instructional materials are provided under the program.

|   |       |           |
|---|-------|-----------|
| <u>PVO:</u> Coordination of Medical Committee | FY 87 | \$110,000 |
| <u>HOME OFFICE:</u> Peshawar, Pakistan        |       |           |
| <u>TYPE:</u> Health Coordination              |       |           |

In 1987, AID/Rep partially financed a new organization Coordination of Medical Committees (CMC) which then consisted of 7 European and US PVOs involved in medical cross-border assistance. This association has increased to 14 member groups. Financing was provided to assist these groups in standardization of medical training, coordination in monitoring, evaluation, collection and analyses of health data.

|             |   |             |           |
|-------------|---|-------------|-----------|
| <u>7.11</u> | <u>GERMAN AFGHANISTAN COMMITTEE</u>             | Funds FY 86 | \$400,000 |
| <u>7.12</u> | <u>199101 Bonn, Germany</u>                     | 87          | \$650,000 |
| <u>7.13</u> | <u>Interns. Resettlement of Afghan Refugees</u> |             |           |

With funds from an L All Reg grant, the German Afghanistan Committee (GAC) initiated a project in 1985 to provide refuge and support for Afghans who had been displaced from their homes by acts of war. 493 families were relocated in the relatively peaceful Tala-wa-Baifaz region of Samangan, Baghlan, and Badkhan Provinces. Basic support in the form of food, clothing, shelter, and agricultural implements were provided for each family. Drilling equipment was used to exploit nearby coal resources and to create caves for emergency shelter from air attacks. During the second year of the project an income generation component was included to enable the refugees to anticipate future self-sufficiency. Reports have not yet verified the efficacy of this component. Nonetheless, O/Alt/Reg anticipates that approximately \$350,000 of support in a final grant of effort should enable this group of refugees to better sustain their new lives.

|             |  |                  |             |
|-------------|--|------------------|-------------|
| <u>7.14</u> | <u>Afghanistan, London, UK</u>                         | Funds thro FY 86 | \$4,232,000 |
|             | <u>Comite Europeen du Raid, Paris France</u>           | FY 87            | \$2,679,250 |
|             | <u>Amis France-Afghanistan (AFFANE), Paris, France</u> |                  |             |

7.15 Cash-for-Food

Since 1981 A.I.U.D. has provided through the intermediary International Rescue Committee cash grants to three European PVO's to provide direct cash assistance to beneficiaries in Afghanistan. The French groups have dispersed their assistance to 30 areas throughout the country, while Afghanistan has directed its cash-for-food support to Commander Ahmad Shah Massoud. In 1986 O/Alt/Reg will prepare to outsource cash-for-food activities in a project of broader scope that will provide survival grants. The proposal calls for an initial cooperative agreement for \$3 million with the International Rescue Committee (IRC) who will have greater oversight and programming responsibility for sub-grants under this activity. This activity will encompass survival grants, village assistance, and agricultural activities as well. IRC will have limited discretion to disperse up to \$100,000 in emergency assistance grants as required by conditions in Afghanistan.

|   |                  |           |
|---|------------------|-----------|
| <u>PVO:</u> Swedish Committee for Afghanistan (SCA)       | Funds thru FY 86 | \$190,000 |
| <u>HOME OFFICE:</u> Stockholm, Sweden                     | FY 87            | \$132,330 |
| <u>CONTRACTOR:</u> Energy/Development International, Inc. |                  |           |
| (E/OI), USA   | 306-0200 86      | \$122,000 |
| <u>TYPE:</u> Agricultural Production Survey               | 87               | \$335,418 |

In order to meet the need for broadly-based and timely agricultural production data on Afghanistan, O/AID/Rep awarded a grant to the Swedish Committee for Afghanistan to conduct an agricultural production survey. The Swedish Committee was selected because of their long experience in cross-border assistance, their capability, and acceptability to all members of the Seven Party Alliance and the international PVO community. A separate contract for technical assistance to provide computerized data collection and analysis capability, and the expertise of noted Afghan agricultural economist, Dr. Azar Gul, was awarded to E/OI. To date approximately 11,000 useful questionnaires have been received from an initial survey of Afghan farmers in Pakistan, and from field surveys of farmers throughout Afghanistan. Nine thousand documents have been entered in computer files, with the remaining entries expected to be completed in March. Final results and analysis of the survey are expected by May. For statutory reasons the Swedish Committee will not be able to accept grant funds from A.I.D. beyond the completion of the initial survey. Additional funds will be needed in 1988 to provide for the rental of computer equipment and hiring of additional programmers to enter data by the survey deadline. \$60,000 will be needed to carry the survey to its completion and publication. E/OI will require an additional \$12,000 to provide increased consultancy time and travel to meet the deadline. O/AID/Rep is reserving judgement on continuation of the survey until the results of the current effort have been received. If warranted by results, continuation of the agricultural survey on a yearly basis could be crucial to assessment of post-war agricultural needs throughout the country. Approximately \$100,000 of grant funds and \$100,000 of contract funds would be required to update the survey annually. Under a possible continuation, the survey organization would remain intact under the sponsorship of the International Rescue Committee.

2/21/88

## APPENDIX 3 .

State Department response regarding efforts by the international community to aid in the return of Afghan refugees

What initial pledges, if any, have been made by other members of the international community to assist in the return of the Afghan refugees?

A: While no formal pledges have yet been made, we have strong indications that the international community will respond generously to the June 10 call for a donor conference by the UN coordinator for Afghanistan, Sadruddin Aga Khan. Canada, Japan, the U.K. and the EEC have all assured us that they intend to contribute substantial amounts to this effort. We expect governments to make formal pledges in the coming weeks. We will be glad to let you know what commitments are made.

## APPENDIX 4

### FINAL TEXT OF THE GENEVA ACCORDS

APRIL 13, 5 P.M.

Bilateral Agreement  
Between the Republic of Afghanistan  
and the Islamic Republic of Pakistan  
on the Principles of Mutual Relations,  
in particular on Non-Interference and Non-Intervention

The Republic of Afghanistan and the Islamic Republic of Pakistan, hereinafter referred to as the High Contracting Parties.

Desiring to normalize relations and promote good-neighbourliness and co-operation as well as to strengthen international peace and security in the region,

Considering that full observance of the principle of non-interference and non-intervention in the internal and external affairs of States is of the greatest importance for the maintenance of international peace and security and for the fulfillment of the purposes and principles of the Charter of the United Nations,

Reaffirming the inalienable right of States freely to determine their own political, economic, cultural and social systems in accordance with the will of their peoples, without outside intervention, interference, subversion, coercion or threat in any form whatsoever,

Mindful of the provisions of the Charter of the United Nations as well as the resolutions adopted by the United Nations on the principle of non-interference and non-intervention, in particular the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, of 24 October 1970, as well as the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, of 9 December 1981,

Have agreed as follows:

#### Article I

Relations between the High Contracting Parties shall be conducted in strict compliance with the principle of non-interference and non-intervention by States in the affairs of other States.

## Article II

For the purpose of implementing the principle of non-interference and non-intervention each High Contracting Party undertakes to comply with the following obligations:

- (1) to respect the sovereignty, political independence, territorial integrity, national unity, security and non-alignment of the other High Contracting Party, as well as the national identity and cultural heritage of its people;
- (2) to respect the sovereign and inalienable right of the other High Contracting Party freely to determine its own political, economic, cultural and social systems, to develop its international relations and to exercise permanent sovereignty over its natural resources, in accordance with the will of its people, and without outside intervention, interference, subversion, coercion or threat in any form whatsoever;
- (3) to refrain from the threat or use of force in any form whatsoever so as not to violate the boundaries of each other, to disrupt the political, social or economic order of the other High Contracting Party, to overthrow or change the political system of the other High Contracting Party or its Government, or to cause tension between the High Contracting Parties;
- (4) to ensure that its territory is not used in any manner which would violate the sovereignty, political independence, territorial integrity and national unity or disrupt the political, economic and social stability of the other High Contracting Party;
- (5) to refrain from armed intervention, subversion, military occupation or any other form of intervention and interference, overt or covert, directed at the other High Contracting Party, or any act of military, political or economic interference in the internal affairs of the other High Contracting Party, including acts of reprisal involving the use of force;
- (6) to refrain from any action or attempt in whatever form or under whatever pretext to destabilize or to undermine the stability of the other High Contracting Party or any of its institutions;

- (7) to refrain from the promotion, encouragement or support, direct or indirect, of rebellious or secessionist activities against the other High Contracting Party, under any pretext whatsoever, or from any other action which seeks to disrupt the unity or to undermine or subvert the political order of the other High Contracting Party;
- (8) to prevent within its territory the training, equipping, financing and recruitment of mercenaries from whatever origin for the purpose of hostile activities against the other High Contracting Party, or the sending of such mercenaries into the territory of the other High Contracting Party and accordingly to deny facilities, including financing for the training, equipping and transit of such mercenaries;
- (9) to refrain from making any agreements or arrangements with other States designed to intervene or interfere in the internal and external affairs of the other High Contracting Party;
- (10) to abstain from any defamatory campaign, vilification or hostile propaganda for the purpose of intervening or interfering in the internal affairs of the other High Contracting Party;
- (11) to prevent any assistance to or use of or tolerance of terrorist groups, saboteurs or subversive agents against the other High Contracting Party;
- (12) to prevent within its territory the presence, harbouring, in camps and bases or otherwise, organizing, training, financing, equipping and arming of individuals and political, ethnic and other groups for the purpose of creating subversion, disorder or unrest in the territory of the other High Contracting Party and accordingly also to prevent the use of mass media and the transportation of arms, ammunition and equipment by such individuals and groups;
- (13) not to resort to or to allow any other action that could be considered as interference or intervention.



Article III

The present Agreement shall enter into force on 15 May 1988.

Article IV

Any steps that may be required in order to enable the High Contracting Parties to comply with the provisions of Article II of this Agreement shall be completed by the date on which this Agreement enters into force.

Article V

This Agreement is drawn up in the English, Pashtu and Urdu languages, all texts being equally authentic. In the case of any divergence of interpretation, the English text shall prevail.

Done in five original copies at Geneva this fourteenth day of April 1988

For the Government of the  
Republic of Afghanistan

For the Government of the  
Islamic Republic of Pakistan

Declaration on International Guarantees

The Governments of the Union of Soviet Socialist Republics and of the United States of America,

Expressing support that the Republic of Afghanistan and the Islamic Republic of Pakistan have concluded a negotiated political settlement designed to normalize relations and promote good-neighbourliness between the two countries as well as to strengthen international peace and security in the region:

Wishing in turn to contribute to the achievement of the objectives that the Republic of Afghanistan and the Islamic Republic of Pakistan have set themselves, and with a view to ensuring respect for their sovereignty, independence, territorial integrity and non-alignment:

Undertake to invariably refrain from any form of interference and intervention in the internal affairs of the Republic of Afghanistan and the Islamic Republic of Pakistan and to respect the commitments contained in the bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in particular on Non-Interference and Non-Intervention;

Urge all States to act likewise.

The present Declaration shall enter into force on 15 May 1988.

Done at Geneva, this fourteenth day of April 1988 in five original copies, each in the English and Russian languages, both texts being equally authentic.

For the Government  
of the Union of Soviet  
Socialist Republics

For the Government  
of the United States of  
America

**Bilateral Agreement between the Republic of Afghanistan  
and the Islamic Republic of Pakistan  
on the Voluntary Return of Refugees**

The Republic of Afghanistan and the Islamic Republic of Pakistan, hereinafter referred to as the High Contracting Parties,

Desiring to normalize relations and promote good-neighbourliness and co-operation as well as to strengthen international peace and security in the region,

Convinced that voluntary and unimpeded repatriation constitutes the most appropriate solution for the problem of Afghan refugees present in the Islamic Republic of Pakistan and having ascertained that the arrangements for the return of the Afghan refugees are satisfactory to them,

Have agreed as follows:

**Article I**

All Afghan refugees temporarily present in the territory of the Islamic Republic of Pakistan shall be given the opportunity to return voluntarily to their homeland in accordance with the arrangements and conditions set out in the present Agreement.

**Article II**

The Government of the Republic of Afghanistan shall take all necessary measures to ensure the following conditions for the voluntary return of Afghan refugees to their homeland:

- (a) All refugees shall be allowed to return in freedom to their homeland;
- (b) All returnees shall enjoy the free choice of domicile and freedom of movement within the Republic of Afghanistan;

- (c) All returnees shall enjoy the right to work, to adequate living conditions and to share in the welfare of the State;
- (d) All returnees shall enjoy the right to participate on an equal basis in the civic affairs of the Republic of Afghanistan. They shall be ensured equal benefits from the solution of the land question on the basis of the Land and Water Reform;
- (e) All returnees shall enjoy the same rights and privileges, including freedom of religion, and have the same obligations and responsibilities as any other citizens of the Republic of Afghanistan without discrimination.

The Government of the Republic of Afghanistan undertakes to implement these measures and to provide, within its possibilities, all necessary assistance in the process of repatriation.

### Article III

The Government of the Islamic Republic of Pakistan shall facilitate the voluntary, orderly and peaceful repatriation of all Afghan refugees staying within its territory and undertakes to provide, within its possibilities, all necessary assistance in the process of repatriation.

### Article IV

For the purpose of organising, coordinating and supervising the operations which should effect the voluntary, orderly and peaceful repatriation of Afghan refugees, there shall be set up mixed commissions in accordance with the established international practice. For the performance of their functions the members of the commissions and their staff shall be accorded the necessary facilities, and have access to the relevant areas within the territories of the High Contracting Parties.

## Article V

With a view to the orderly movement of the returnees, the commissions shall determine frontier crossing points and establish necessary transit centres. They shall also establish all other modalities for the phased return of refugees, including registration and communication to the country of return of the names of refugees who express the wish to return.

## Article VI

At the request of the Governments concerned, the United Nations High Commissioner for Refugees will cooperate and provide assistance in the process of voluntary repatriation of refugees in accordance with the present Agreement. Special agreements may be concluded for this purpose between UNHCR and the High Contracting Parties.

## Article VII

The present Agreement shall enter into force on 15 May 1988. At that time the mixed commissions provided in Article IV shall be established and the operations for the voluntary return of refugees under this Agreement shall commence.

The arrangements set out in Articles IV and V above shall remain in effect for a period of eighteen months. After that period the High Contracting Parties shall review the results of the repatriation and, if necessary, consider any further arrangements that may be called for.

**Article VIII**

- This Agreement is drawn up in the English, Pashto, and Urdu languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

Done in five original copies at Geneva this fourteenth day of April 1988.

For the Government of the  
Republic of Afghanistan

For the Government of the  
Islamic Republic of Pakistan

Agreement on the Interrelationships for the  
Settlement of the Situation Relating to Afghanistan

1. The diplomatic process initiated by the Secretary-General of the United Nations with the support of all Governments concerned and aimed at achieving, through negotiations, a political settlement of the situation relating to Afghanistan has been successfully brought to an end.

2. Having agreed to work towards a comprehensive settlement designed to resolve the various issues involved and to establish a framework for good-neighbourliness and co-operation, the Government of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan entered into negotiations through the intermediary of the Personal Representative of the Secretary-General at Geneva from 16 to 24 June 1982. Following consultations held by the Personal Representative in Islamabad, Kabul and Teheran from 21 January to 7 February 1983, the negotiations continued at Geneva from 11 to 22 April and from 12 to 24 June 1983. The Personal Representative again visited the area for high level discussions from 3 to 15 April 1984. It was then agreed to change the format of the negotiations and, in pursuance thereof, proximity talks through the intermediary of the Personal Representative were held at Geneva from 24 to 30 August 1984. Another visit to the area by the Personal Representative from 25 to 31 May 1985 preceded further rounds of proximity talks held at Geneva from 20 to 25 June, from 27 to 30 August and from 16 to 19 December 1985. The Personal Representative paid an additional visit to the area from 8 to 18 March 1986 for consultations. The final round of negotiations began as proximity talks at Geneva on 5 May 1986, was suspended on 23 May 1986, and was resumed from 31 July to 8 August 1986. The Personal Representative visited the area from 20 November to 3 December 1986 for further consultations and the talks at Geneva were resumed again from 25 February to 9 March 1987, and from 7 to 11 September 1987. The Personal Representative again visited the area from 18 January to 9 February 1988 and the talks resumed at Geneva from 2 March to 8 April 1988. The format of the negotiations was changed on 14 April 1988, when the instruments comprising the settlement were finalized, and, accordingly, direct talks were held at that stage. The Government of the Islamic Republic of Iran was kept informed of the progress of the negotiations throughout the diplomatic process.

3. The Government of the Republic of Afghanistan and the Government of the Islamic Republic of Pakistan took part in the negotiations with the expressed conviction that they were acting in accordance with their rights and obligations under the Charter of the United Nations and agreed that the political settlement should be based on the following principles of international law:

- + The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;
- + The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered;
- + The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations;
- + The duty of States to co-operate with one another in accordance with the Charter of the United Nations;
- + The principle of equal rights and self-determination of peoples;
- + The principle of sovereign equality of States;
- + The principle that States shall fulfill in good faith the obligations assumed by them in accordance with the Charter of the United Nations.

The two Governments further affirmed the right of the Afghan refugees to return to their homeland in a voluntary and unimpeded manner.



4. The following instruments were concluded on this date as component parts of the political settlement:

A Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Principles of Mutual Relations, in particular on Non-interference and Non-intervention;

A Declaration on International Guarantees by the Union of Soviet Socialist Republics and the United States of America;

A Bilateral Agreement between the Republic of Afghanistan and the Islamic Republic of Pakistan on the Voluntary Return of Refugees;

The present Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan.

5. The Bilateral Agreement on the Principles of Mutual Relations, in particular on Non-interference and Non-intervention; the Declaration on International Guarantees; the Bilateral Agreement on the Voluntary Return of Refugees; and the present Agreement on the Interrelationships for the Settlement of the Situation Relating to Afghanistan will enter into force on 15 May 1988. In accordance with the timeframe agreed upon between the Union of Soviet Socialist Republics and the Republic of Afghanistan there will be a phased withdrawal of the foreign troops which will start on the date of entry into force mentioned above. One half of the troops will be withdrawn by 15 August 1988 and the withdrawal of all troops will be completed within nine months.

6. The interrelationships in paragraph 5 above have been agreed upon in order to achieve effectively the purpose of the political settlement, namely, that as from 15 May 1988, there will be no interference and intervention in any form in the affairs of the Parties; the international guarantees will be in operation; the voluntary return of the refugees to their homeland will start and be completed within the timeframe specified in the agreement on the voluntary return of the refugees; and the phased withdrawal of the foreign troops will start and be completed within the timeframe envisaged in paragraph 5. It is therefore essential that all the obligations deriving from the instruments concluded as component parts of the settlement be strictly fulfilled and that all the steps required to ensure full compliance with all the provisions of the instruments be completed in good faith.

7. To consider alleged violations and to work out prompt and mutually satisfactory solutions to questions that may arise in the implementation of the instruments comprising the settlement representatives of the Republic of Afghanistan and of the Islamic Republic of Pakistan shall meet whenever required.

A representative of the Secretary-General of the United Nations shall lend his good offices to the Parties and in that context he will assist in the organization of the meetings and participate in them. He may submit to the Parties for their consideration and approval suggestions and recommendations for prompt, faithful and complete observance of the provisions of the instruments.

In order to enable him to fulfill his tasks, the representative shall be assisted by such personnel under his authority as required. On his own initiative, or at the request of any of the Parties, the personnel shall investigate any possible violations of any of the provisions of the instruments and prepare a report thereon. For that purpose, the representative and his personnel shall receive all the necessary co-operation from the Parties, including all freedom of movement within their respective territories required for effective investigation. Any report submitted by the representative to the two Governments shall be considered in a meeting of the Parties no later than forty-eight hours after it has been submitted.

The modalities and logistical arrangements for the work of the representative and the personnel under his authority as agreed upon with the Parties are set out in the Memorandum of Understanding which is annexed to and is part of this Agreement.

8. The present instrument will be registered with the Secretary-General of the United Nations. It has been examined by the representatives of the Parties to the bilateral agreements and of the States-Guarantors, who have signified their consent with its provisions. The representatives of the Parties, being duly authorized thereto by their respective Governments, have affixed their signatures hereunder. The Secretary-General of the United Nations was present.

Done, at Geneva, this fourteenth day of April 1988, in five original copies each in the English, Pashtu, Russian and Urdu languages, all being equally authentic. In case of any dispute regarding the interpretation the English text shall prevail.

FOR THE GOVERNMENT OF THE  
REPUBLIC OF AFGHANISTAN

FOR THE GOVERNMENT OF THE  
ISLAMIC REPUBLIC OF PAKISTAN

In witness thereof, the representatives of the  
States-Guarantors affixed their signatures hereunder:

FOR THE GOVERNMENT OF THE  
UNION OF SOVIET SOCIALIST  
REPUBLICS

FOR THE GOVERNMENT OF  
THE UNITED STATES OF  
AMERICA

AnnexMemorandum of UnderstandingI. Basic requirements

(a) The Parties will provide full support and co-operation to the Representative of the Secretary-General and to all the personnel assigned to assist him;

(b) The Representative of the Secretary-General and his personnel will be accorded every facility as well as prompt and effective assistance, including freedom of movement and communications, accommodation, transportation and other facilities that may be necessary for the performance of their tasks. Afghanistan and Pakistan undertake to grant to the Representative and his staff all the relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations.

(c) Afghanistan and Pakistan will be responsible for the safety of the Representative of the Secretary-General and his personnel while operating in their respective countries.

(d) In performing their functions, the Representative of the Secretary-General and his staff will act with complete impartiality. The Representative of the Secretary-General and his personnel must not interfere in the internal affairs of Afghanistan and Pakistan and, in this context, cannot be used to secure advantages for any of the Parties concerned.

II. Mandate

The mandate for the implementation-assistance as derived from arrangements envisaged in paragraph 7 derives from the instruments comprising the settlement. All the staff assigned to the Representative of the Secretary-General will accordingly be carefully briefed on the relevant provisions of the instruments and on the procedures that will be used to ascertain violations thereof.

III. Modus operandi and personnel organization

The Secretary-General will appoint a senior military Officer as Deputy to the Representative, who will be stationed in the area, as head of two small headquarters units, one in Kabul and the other in Islamabad, each comprising five military Officers, drawn from existing UN operations, and a small civilian auxiliary staff

The Deputy to the Representative of the Secretary-General will act on behalf of the Representative and be in contact with the Parties through the Liaison Officer each Party will designate for this purpose.

The two headquarters units will be organized into two Inspection Teams to ascertain on the ground any violation of the instruments comprising the settlement. Whenever considered necessary by the Representative of the Secretary-General or his Deputy, up to 40 additional military Officers (some 10 additional Inspection Teams) will be redeployed from existing operations within the shortest possible time (normally around 48 hours).

The nationalities of all the Officers will be determined in consultation with the Parties.

Whenever necessary the Representative of the Secretary-General, who will periodically visit the area for consultations with the Parties and to review the work of his personnel, will also assign to the area members of his own office and other civilian personnel from the UN Secretariat as may be needed. His Deputy will alternate between the two headquarters units and will remain at all times in close communication with him.

#### IV. Procedure

##### (a) Inspections conducted at the request of the Parties

(i) A complaint regarding a violation of the instruments of the settlement lodged by any of the Parties should be submitted in writing, in the English language, to the respective headquarters units and should indicate all relevant information and details.

(ii) Upon receipt of a complaint the Deputy to the Representative of the Secretary-General will immediately inform the other Party of the complaint and undertake an investigation by making on-site inspections, gathering testimony and using any other procedure which he may deem necessary for the investigation of the alleged violation. Such inspection will be conducted using headquarters staff as referred to above, unless the Deputy Representative of the Secretary-General considers that additional teams are needed. In that case, the Parties will, under the principle of freedom of movement, allow immediate access of the additional personnel to their respective territories.

(iii) Reports on investigations will be prepared in English and submitted by the Deputy Representative of the Secretary-General to the two Governments, on a confidential basis. (A third copy of the Report will be simultaneously transmitted, on a confidential basis,

to United Nations Headquarters in New York, exclusively for the information of the Secretary-General and his Representative.) In accordance with paragraph 7 a report on an investigation should be considered in a meeting of the Parties not later than 48 hours after it has been submitted. The Deputy Representative of the Secretary-General will, in the absence of the Representative, lend his good office(s) to the Parties and in that context he will assist in the organization of the meetings and participate in them. In the context of those meetings, the Deputy Representative of the Secretary-General may submit to the Parties for their consideration and approval suggestions and recommendations for the prompt, faithful and complete observance of the provisions of the instruments. (Such suggestions and recommendations will be, as a matter of course, consulted with, and cleared by the Representative of the Secretary-General.)

(b) Inspections conducted on the initiative of the Deputy Representative of the Secretary-General

In addition to inspections requested by the Parties, the Deputy Representative of the Secretary-General may carry out on his own initiative and in consultation with the Representative inspections he deems appropriate for the purpose of the implementation of paragraph 7. If it is considered that the conclusions reached in an inspection justify a report to the Parties, the same procedure used in submitting reports in connection with inspections carried out at the request of the Parties will be followed.

Level of participation in meetings

As indicated above, the Deputy Representative of the Secretary-General will participate at meetings of the Parties convened for the purpose of considering reports on violations. Should the Parties decide to meet for the purpose outlined in paragraph 7 at a high political level, the Representative of the Secretary-General will personally attend such meetings.

V. Duration

The Deputy to the Representative of the Secretary-General and the other personnel will be established in the area not later than twenty days before the entry into force of the instruments. The

arrangements will cease to exist two months after the completion of all timeframes envisaged for the implementation of the instruments.

VI. Financing

The cost of all facilities and services to be provided by the Parties will be borne by the respective Governments. The salaries and travel expenses of the international personnel to and from the area, as well as the costs of the local personnel assigned to the headquarters units, will be defrayed by the United Nations.

**U.S. STATEMENT**

The United States has agreed to act as a guarantor of the political settlement of the situation relating to Afghanistan, in ending the bloodshed in that unfortunate country, and in enabling millions of Afghan refugees to return to their homes.

In agreeing to act as guarantor, the United States states the following:

(1) The troop withdrawal obligations set out in paragraphs 5 and 6 of the Instrument on Interrelationships are central to the entire settlement. Compliance with those obligations is essential to achievement of the settlement's purposes, namely, the ending of foreign intervention in Afghanistan and the restoration of the rights of the Afghan people through the exercise of self determination as called for by the United Nations Charter and the United Nations General Assembly resolutions on Afghanistan.

(2) The obligations undertaken by the guarantors are symmetrical. In this regard, the United States has advised the Soviet Union that the U.S. retains the right, consistent with its obligations as guarantor, to provide military assistance to parties in Afghanistan. Should the Soviet Union exercise restraint in providing military assistance to parties in Afghanistan, the U.S. similarly will exercise restraint.

(3) By acting as a guarantor of the settlement, the United States does not intend to imply in any respect recognition of the present regime in Kabul as the lawful government of Afghanistan.



## STATEMENT TO THE PRESS AFTER SIGNATURE

History has been made today. For over eight years, the Afghan people have suffered a brutal war that has brought unmeasurable death, dislocation, and destruction. The world community has long sought to remove the cause of this agony -- the Soviet military occupation of Afghanistan. This effort has succeeded, and the Soviet Union is now committed to firm dates to commence and complete the withdrawal of its forces.

This achievement reflects first and foremost the courage and determination of the Afghan people, who have paid a very high price to recover their national independence. In this cause nearly one million precious lives have been sacrificed, and many millions of Afghans have spent years in exile.

But their accomplishment will enhance the security of all peoples, for their epic struggle is a timely reminder that a major power cannot impose its will by force of arms on even the smallest country when its citizens are united in their resistance. The stage has now been set for the Afghan people to determine their own future, free of Soviet forces, and for the refugees to return to their homes. It will be important

- 2 -

for all concerned to assist the Afghans in their efforts to establish a government which reflects the will of the Afghan people; the present regime in Kabul does not do so, and we cannot regard it as legitimate.

On this day, we applaud the constancy of Pakistan in support of the Afghan cause. It has generously hosted millions of Afghan refugees on its territory; it has looked after their needs and provided them essential support -- often in the face of coercive threats, military incursions, and terrorist acts. And it has vigorously and diligently pursued peace at the Geneva talks. I offer my congratulations to the Pakistani people, to President Zia-ul-Haq, to Prime Minister Junejo, and to Minister of State Noorani for their part in this great achievement. It is a tribute to Pakistan's dedication, courage, and resolve.

For the community of nations, today's accomplishment demonstrates that concerted action can achieve results. The repeated calls of the United Nations General Assembly for Soviet withdrawal and the astute and persistent efforts of the Secretary General of the United Nations and his personal

- 3 -

representative have borne fruit. Once again, the importance of the United Nations and of the principles of the Charter in the settlement of international disputes has been reaffirmed. I want particularly to commend the patience and perseverance of Diego Cordovez. As the personal representative of the Secretary General, he has played a central role in this negotiation.

We also welcome the decisions of the Soviet leadership, which have contributed to this achievement. The presence of Soviet forces in Afghanistan has been an affront to the world community and a major burden to Soviet-American relations. The faithful implementation of the withdrawal commitments embodied in the accords signed today will do much to improve the atmosphere for our bilateral relations and for the resolution of other regional conflicts.

The United States has associated itself with this settlement because we believe it will open the way to the restoration of Afghan control over Afghanistan. We have supported the Afghan cause with determination, and we will continue to do so. We will maintain our humanitarian aid to the Afghans. And we will do what we can to contribute to reconciliation and reconstruction in Afghanistan.

- 4 -

It is our hope that the Soviet Union will contribute to this process by ending the flow of arms to its client regime in Kabul. But we have made clear to Soviet leaders that, consistent with our obligations as guarantor, it is our right to provide military aid to the resistance. We are ready to exercise that right, but we are prepared to exert restraint with restraint.

Today, we have taken the first step toward a more secure future for the Afghan people. But much remains to be done, and we cannot rest until the promises of this day are fully realized. First, Soviet forces must withdraw completely. Second, all concerned must make a major effort to facilitate development and reconstruction. And, at the same time, a government that legitimately reflects the will of the Afghan people must be established.

Today's promise must become tomorrow's success. In collaboration with the agencies of the United Nations and the very friends of Afghanistan, we are ready to do our part.

## ARRIVAL STATEMENT

I am here to participate, under auspices of the Secretary General of the United Nations, in concluding a historic agreement on Afghanistan. This agreement will formalize the withdrawal of Soviet forces from Afghanistan, a goal the world has sought for many years. It will restore to the Afghans the right to determine their own future on the basis of their own political ideas and traditions.

Nothing could be more fitting than to sign such an agreement on Switzerland's soil. As in Afghanistan, among these mountains and valleys live people who are determined to maintain their own independence, national and local customs, and freedom of thought and enterprise. Switzerland's neutrality, which its people are able and willing to defend, is respected and honored.

We can wish no less for Afghanistan. Its people too are proud, independent, and protective of home and heritage. As we have observed with admiration, they too are determined to defend their land against foreign invasion.

Through their blood and sacrifice, the Afghans have earned the opportunity to resume their independence. Let us help them realize it.

